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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91

Number 1

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, January 2, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Hsieh, Kennedy - 2.

Quorum present.

Supervisor Hsieh excused. (See infra.)

Supervisor Kennedy was noted present at 3:24 p.m.

Supervisor Hsieh Excused

The Clerk stated Supervisor Hsieh requested to be excused from attending today's meeting.

Supervisor Kaufman, seconded by Supervisor Bierman, moved to excuse Supervisor Hsieh.

Motion to excuse Supervisor Hsieh from attendance adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Kaufman, moved that the Journal of Proceedings for Monday, December 4, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate from the floor.

Farewell to Supervisor Terence Hallinan

On behalf of the entire Board of Supervisors, President Shelley presented outgoing Supervisor Hallinan with a resolution commending him for his service on the Board of Supervisors. (See infra.) His colleagues recognized his distinguished contributions to the people of the City and County of San Francisco and wished District Attorney-Elect Hallinan success.

The President resumed the Chair.

CONSENT CALENDAR

Tuesday, January 2, 1996

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Community Development]

Ordinance appropriating \$172,620, Mayor's Office of Community Development, of Dispute Resolution Program Funds to continue contracts for dispute resolution services in fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-31, Ordinance No.

Passed for second reading.

[Appropriation, Departments of Public Health and Social Services]

Ordinance appropriating and rescinding \$643,091, Department of Public Health and Department of Social Services, of General Funds to salaries, fringe benefits, professional services, materials and supplies and adjusting revenues for the creation of two (2) positions and the deletion of nine (9) positions at the Department of Public Health, and the creation of fourteen (14) positions and the deletion of seven (7) positions at the Department of Social Services to reorganize the SSI One Stop Shop Program for fiscal year 1995-96. (Controller)

File 101-95-34, Ordinance No.

Passed for second reading.

[Salary Ordinance, Departments of Public Health and Social Services]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the addition of two (2) positions and the deletion of nine (9) positions at the Department of Public Health, and the addition of fourteen (14) positions and the deletion of seven (7) positions at the Department of Social Services; companion measure to File 101-95-34. (Department of Human Resources)

File 102-95-8, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[State Compensation Insurance Fund v. CCSF]

Ordinance authorizing settlement of litigation of State Compensation Insurance Fund against the City and County by payment of \$11,000. (City Attorney)

File 45-95-53, Ordinance No.

(Municipal Court No. 103-104.)

Passed for second reading.

[Ford Construction Company, Inc. v. CCSF]

Ordinance authorizing settlement of litigation of Ford Construction Company, Inc. against the City and County by payment of \$90,000. (City Attorney)

File 45-95-55, Ordinance No.

(Superior Court No. 963-502.)

Passed for second reading.

Adopted

[Gift Acceptance, Makita USA, Inc.]

Resolution authorizing acceptance by the Fire Department (SFFD) of gift of specialized tools valued at \$16,244 from the Makita USA, Inc., for the Fire Department's Urban Search and Rescue Program. (Fire Department)

File 38-95-11, Resolution No. 8-96

Adopted.

[Settlement of Claim, Yvonne Paul]

Resolution approving the settlement of the unlitigated claim of Yvonne Paul by payment of \$17,500. (City

Attorney)

File 48-95-30, Resolution No. 12-96

Adopted.

[Unlitigated Claim, Evelyn Guttman]
Resolution approving the settlement of the unlitigated claim of Evelyn Guttman by payment of \$8,500.
(Supervisor Hallinan)

File 48-95-31, Resolution No. 13-96

Adopted.

[SDI Coverage, Classification 0222]
Resolution authorizing enrollment of Classification(s) 0222 Court System Coordinator in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-12, Resolution No.16-96

Adopted.

[SDI Coverage, Classification 0230]
Resolution authorizing enrollment of Classification(s) 0230 Division Chief Clerk in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-13, Resolution No. 17-96

Adopted.

[SDI Coverage, Classification 0244]
Resolution authorizing enrollment of Classification(s) 0244 Court Traffic Senior Application Programmer in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-14, Resolution No. 18-96

Adopted.

[SDI Coverage, Classification 0248]
Resolution authorizing enrollment of Classification(s) 0248 Court Systems Technical Programmer in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-15, Resolution No. 19-96

Adopted.

[SDI Coverage, Classification 0260]
Resolution authorizing enrollment of Classification(s) 0260 Small Claims Legal Adviser in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-16, Resolution No. 20-96

Adopted.

[SDI Coverage, Classification 0270]
Resolution authorizing enrollment of Classification(s) 0270 Assistant Division Chief Clerk in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-17, Resolution No. 21-96

Adopted.

[SDI Coverage, Classification 0278]
Resolution authorizing enrollment of Classification(s) 0278 Assistant Court Program Analyst Manager in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-18, Resolution No. 22-96

Adopted.

[SDI Coverage, Classification 0280]
Resolution authorizing enrollment of Classification(s) 0280 Deputy Clerk in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-19, Resolution No. 23-96

Adopted.

[SDI Coverage, Classification 0287]
Resolution authorizing enrollment of Classification(s) 0287 Administrative Secretary, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-20, Resolution No. 24-96

Adopted.

[SDI Coverage, Classification 0290]
Resolution authorizing enrollment of Classification(s) 0290 Deputy Clerk, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-21, Resolution No. 25-96

Adopted.

[SDI Coverage, Classification 0293]
Resolution authorizing enrollment of Classification(s) 0293 Interpreter Coordinator, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-22, Resolution No. 26-96

Adopted.

[SDI Coverage, Classification 0320]
Resolution authorizing enrollment of Classification(s) 0320 Deputy Clerk, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-23, Resolution No. 27-96

Adopted.

[SDI Coverage, Classification 0340]
Resolution authorizing enrollment of Classification(s) 0340 Information Clerk, Municipal Court, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-24, Resolution No. 28-96

Adopted.

[SDI Coverage, Classification 0360]
Resolution authorizing enrollment of Classification(s) 0360 Deputy Clerk, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-25, Resolution No. 29-96

Adopted.

[SDI Coverage, Classification 0342]
Resolution authorizing enrollment of Classification(s) 0342 Information Clerk Supervisor, Municipal Court, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-26, Resolution No. 30-96

Adopted.

[SDI Coverage, Classification 0330]
Resolution authorizing enrollment of Classification(s) 0330 Deputy Clerk, Municipal Court in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-27, Resolution No. 31-96

Adopted.

[SDI Coverage, Classification 0350]

Resolution authorizing enrollment of Classification(s) 0350 Court Reporter, Municipal Court, in the State Disability Insurance Program. (Department of Human Resources)

File 89-95-28, Resolution No. 32-96

Adopted.

[State Grant, Recycling Program]

Resolution authorizing the Chief Administrative Officer to apply for retroactively, accept and expend a \$100,000 grant from the Department of Conservation; waiving indirect costs. (Supervisor Alioto)

File 133-95-10, Resolution No. 36-96

Adopted.

[State Grant, Integrated Pest Management Project]

Resolution authorizing the Department of Public Works to apply for, accept and expend \$20,000 in Innovations in Pest Management Grant funding from the State of California Department of Pesticide Regulation. (Department of Public Works)

File 148-95-7, Resolution No. 38-96

Adopted.

[Airport Long Distance Service Agreement]

Resolution approving the "Agreement for Operator-Assisted Long Distance Service from Public Pay Telephones" between AT&T Corporation and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-18, Resolution No. 5-96

Adopted.

Passed for Second Reading

[Airport Lease Modification, FAA]

Ordinance approving modification of leases DTFA08-92-L-14110, DTFA08-93-L-14138, and DTFA08-92-L-14111 by and between the United States of America and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-19, Ordinance No.

Passed for second reading.

Adopted

[Lombard Street Garage, Management Agreement]

Resolution approving form of the Lombard Street Garage Management Agreement and bid documents; authorizing Parking Authority to request bids for management of the Lombard Street Garage using the approved bid documents; approving the extension of the current Lombard Street Garage Lease on a month-to-month basis; and authorizing City officials to act as agents for the Parking Authority. (Real Estate Department)

File 47-95-13, Resolution No. 11-96

Adopted.

[Lease Extension at 445 Grant Avenue]

Resolution authorizing extension of the lease of real property at 445 Grant Avenue for the Chinatown Branch Library. (Real Estate Department)

File 64-95-17, Resolution No. 15-96

Adopted.

[Hold Harmless Agreement]

Resolution authorizing the Port to hold the State Lands Commission of the State of California harmless for claims arising from maintenance dredging at various locations within the Port's jurisdiction. (Port)

File 172-95-47, Resolution No. 40-96

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersection]

Resolution designating 39th Avenue and Irving Street as an all-way "STOP" intersection. (Supervisor Shelley)

File 18-95-16, Resolution No. 4-96

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-17, Resolution No. 9-96

Adopted.

[Residential Parking Area "U", South of Market]

Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-95-18, Resolution No. 10-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Budget Committee "Without Recommendation"

Consideration Continued

[Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 1996 Emergency Shelter grants program and expenditure schedule and authorizing the Mayor to apply for, accept, and expend a \$65,000 entitlement for the Salvation Army under the Emergency Shelter grants program from the U.S. Department of Housing and Urban Development. (Budget Committee)

File 68-95-9.1, Resolution No.

(December 11, 1995 - Consideration continued to January 2, 1996.)

Supervisor Migden, seconded by Supervisor Leal, moved to continue consideration to January 16, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Tuesday, January 2, 1996

Recommendation of Health, Public Safety and Environment Committee

Consideration Continued

[Domestic Violence]

Resolution finding that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution to these cases; urging the judges of the Municipal Court to stop the use of civil compromise in domestic violence cases; urging that when such compromises are considered that proper notice and hearings are required; and further urging the District Attorney to continue his efforts to resist civil compromise in domestic violence cases and continue the pursuit to amend the California Penal Code to prohibit the use of civil compromise in domestic violence cases. (Supervisors Kaufman, Alioto, Hallinan, Leal, Shelley, Teng)

File 237-95-1, Resolution No.

(December 18, 1995 - Consideration continued to January 2, 1996.)

Supervisor Kaufman, seconded by Supervisor Teng, moved to continue consideration to January 8, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisor Teng requested to be added as co-sponsors.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Sheriff Department]

Ordinance appropriating \$19,218, Sheriff Department, of Jail Overcrowding Fine Revenue to professional services to fund the Supervised Misdemeanor Release Program to reduce jail overcrowding for fiscal year 1995-96; placing \$19,218 on reserve. (Controller)

File 101-95-29, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appropriation, Medical Examiner]

Ordinance appropriating \$114,799 and \$8,799, Medical Examiner, from General Fund Reserve and \$106,000 from contractual services, to salaries and fringe benefits to create three (3) positions to continue body removal services for fiscal year 1995-96. (Controller)

File 101-95-30, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Salary Ordinance Amendment, Medical Examiner]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the addition of three positions (Class 2580 Coroner's Investigator) in the Medical Examiner-Coroner's Office; companion measure to File 101-95-30. (Department of Human Resources)

File 102-95-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appropriation, Various Departments]

Ordinance appropriating \$200,000. Offices of Chief Administrative Officer, City Attorney and Controller from various Bond Fund Proceeds (1992 Golden Gate Park Irrigation Bonds and Earthquake Safety Bonds) for bond issuance costs for fiscal year 1995-96. (Controller)

File 101-95-32, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Conveyance of Easement, Stanford University]

Ordinance authorizing conveyance of easement over Water Department right-of-way in Santa Clara County pursuant to settlement approved by Public Utilities Commission. (Real Estate Department)

File 82-95-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification, FAA]

Ordinance approving, retroactively, lease numbers DTFA08-95-L-14713, DTFA08-95-L-14717, DTFA08-95-L-14708 and DTFA08-95-L-14709 between the United States of America, Federal Aviation Administration (FAA) and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Charles Johnson/Diane Johnson v. CCSF]

Ordinance authorizing settlement of litigation of Charles Johnson and Diane Johnson against the City and County by payment of \$17,500. (City Attorney)

File 45-95-54, Ordinance No.

(Superior Court No. 957-633.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Electronic Equipment Procurement]

Ordinance amending Administrative Code, enabling the Electronic Information Processing Steering Committee to review procurement of electronic information processing resources conducted through or in conjunction with state or federal agencies and programs. (Supervisors Teng, Ammiano, Bierman)

File 97-95-60, Ordinance No.

(Adds Section 3.021.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Payment by Credit Cards - Dept. of Animal Control]

Ordinance amending Administrative Code, to authorize the Department of Animal Care and Control to accept payments by credit cards and ATM cards. (Supervisor Leal)

File 97-95-66, Ordinance No.

(Adds Section 10.11-4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 22]

Ordinance amending Ordinance No. 116-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Carpenters, Local 22 and the City and County, for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-6.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 580]

Ordinance amending Ordinance No. 121-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-11.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 104]

Ordinance amending Ordinance No. 122-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Sheetmetal Workers, Local 104 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-12.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 6]

Ordinance amending Ordinance No. 123-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-13.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 16]

Ordinance amending Ordinance No. 124-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees, Local 16 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-14.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 40]

Ordinance amending Ordinance No. 126-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Roofers, Local 40 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-16.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 34]

Ordinance amending Ordinance No. 129-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Pile Drivers, Local 34 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-19.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Local 856]

Ordinance amending Ordinance No. 132-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Probation Officers Association, Local 856 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-24.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Local 21 Arbitrator's Award]

Ordinance adopting and implementing the provisions of an Arbitrator's Award interpreting the provisions of the Memorandum of Understanding regarding the compensation of real property auditors and appraisers between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County, to be effective retroactive to July 1, 1994. (Supervisor Shelley)

File 93-95-35.3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Amendment to MOU, Stationary Engineers, Local 39]

Ordinance adopting and implementing the provisions of amendment number 2 to the Memorandum of Understanding between the International Union of Operating Engineers Stationary, Local 39 and the City and County providing that all covered employees be placed into full retirement contribution effective two pay periods after approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-95-43.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Tuesday, January 2, 1996

[MOU, Local 865, Bargaining Unit 11B]

Ordinance adopting and implementing, retroactively, the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856 and the City and County for Bargaining Unit 11B, Supervising Registered Nurses, for the period July 1, 1994 through June 30, 1996. (Department of Human Resources)

File 93-95-52, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Adopted

[Grant, State Local Transportation Partnership Program]

Resolution authorizing the Director of Public Works to expend up to \$492,312 from the State of California for roadway work on City streets in accordance with the State-Local Transportation Partnership Program (6th Cycle); waiving indirect costs; placing \$240,308 on reserve. (Department of Public Works)

File 148-95-6, Resolution No. 37-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Indemnification Agreement, PTC/TRB]

Resolution authorizing an indemnity provision in the Contract between the Municipal Railway and the Transportation Research Board acting through the Public Transportation Commission. (Public Transportation Commission)

File 172-95-46, Resolution No. 39-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Federal Grant, Traffic Signal System]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, retroactively, and to accept and expend up to \$395,000 in Federal Funds for the installation of a new traffic signal at the intersection of Lincoln Way and Funston Avenue and to install hardware interconnect connecting the Oak/Fell Streets traffic signal system to the Inner Sunset traffic signal system, foregoing reimbursement of indirect costs; placing \$305,000 on reserve. (Supervisor Leal)

File 192-95-5, Resolution No. 41-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Lincoln Park Pioneer Grave Site]

Resolution authorizing the Medical Examiner to dispose of artifacts recovered from pioneer grave site at Lincoln Park. (Supervisor Hallinan)

File 257-95-1, Resolution No. 44-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Housing and Land Use Committee

Adopted

[Final Negative Declaration, Westwood Park]

Resolution adopting Final Negative Declaration, finding and determining that amending the City Planning Code to add Sections 244 and 244.1 creating a designation for Residential Character Districts and establishing the Westwood Park Residential Character District and requiring all building permits for new construction and alterations in that Residential Character District to conform to designated sections of the "Westwood Park Association, Residential Design Guidelines" and to amend Sections 134 and 252.1 recognizing exceptions to rear yard and height provisions in such Residential Character Districts, and that amending the zoning map to delineate the Westwood Park Residential Character District and to change the Height and Bulk District from 40-X to 28-X, for properties in the Westwood Park Subdivision (95.541ETZ) will have no significant impact on the environment; and adopting and incorporating findings of Final Negative Declaration. (Supervisor Shelley)

File 36-95-6, Resolution No. 6-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisor Shelley requested to be added as sponsor.

Passed for Second Reading

[Zoning Map Amendments, Westwood Park RCD]

Ordinance amending Planning Code by amending the Zoning Map of the City and County for certain properties in the Westwood Park Subdivision, generally bounded by Ocean Avenue, Plymouth Avenue (including east side properties), Greenwood Avenue (including south side properties), Judson Avenue, Phelan Avenue, Flood Avenue, Ridgewood Avenue, south side of Monterey Boulevard and Faxon Avenue (including west side properties), all of Assessor's Blocks 3106-3113, 3133-3138, 3160-3166, 3173-3178, 3189-3190 and portions of Assessor's Blocks 3167, 3191 and 3196-3199, to create the Westwood Park Residential Character District; companion measures to Files 36-95-6, 36-95-6.1, and 115-95-14. (Supervisor Shelley)

File 36-95-6.1, Ordinance No.

(City Planning Resolution No. 13992, adopted October 26, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisor Shelley requested to be added as sponsor.

[Zoning Map Amendments, Westwood Park Height/Bulk]

Ordinance amending Planning Code by amending the Zoning Map of the City and County for certain properties in the Westwood Park Subdivision, generally bounded by Ocean Avenue, Plymouth Avenue (including south side properties), Greenwood Avenue (including south side properties), Judson Avenue, Phelan Avenue, Flood Avenue, Ridgewood Avenue, south side of Monterey Boulevard and Faxon Avenue (including west side properties), all of Assessor's Blocks 3106-3113, 3133-3138, 3160-3166, 3173-3178, 3189-3190 and portions of Assessor's Blocks 3167, 3191, and 3196-3199, to reclassify these properties from a 40-X Height and Bulk District to a 28-X Height and Bulk District; companion measure to Files 36-95-6, 36-95-6.1 and 115-95-14. (Supervisor Shelley)

File 36-95-6.2, Ordinance No.

(City Planning Resolution No. 13992, adopted October 26, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisor Shelley requested to be added as sponsor.

[Westwood Park Residential Character District]

Ordinance amending City Planning Code, to add Residential Character Districts and to create the Westwood Park Residential Character District, and to recognize special rear yard requirements and special height limits for Residential Character Districts; companion measure to Files 36-95-6, 36-95-6.1, and 36-95-6.2. (Supervisor Shelley)

File 115-95-14, Ordinance No.

(City Planning Resolution No. 13992, adopted October 26, 1995.)

(Adds Sections 244, 244.1;
Amends Sections 134 and 252.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisor Shelley requested to be added as sponsor.

The President resumed the Chair.

Adopted

[Final Neg Declaration, 1745-1765 California Street]

Resolution adopting Final Negative Declaration, finding and determining that the project to convert a vacant, automobile sales and service building to a retail grocery store of approximately 24,600 square feet of occupied floor area and customer parking; and the construction of a new, two-level parking garage with 98 parking spaces, on Assessor's Block 647, Lots 12, 13, and 14 for the property located at 1745-1765 California Street will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 36-95-7, Resolution No. 7-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Passed for Second Reading

[Zoning Map Change, 1745-1765 California Street]

Ordinance amending City Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property generally described as Assessor's Block 647, Lot 12 from an RM-3 District to an NC-3 Neighborhood Commercial District and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 36-95-7. (Department of City Planning)

File 36-95-7.1, Ordinance No.

(City Planning Resolution No. 13974, adopted October 11, 1995.)
(Motion No. 13975, adopted October 12, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Bicycle Racks]

Ordinance amending Planning Code, to provide bicycle storage for all City-owned and City-leased properties. (Supervisors Migden, Bierman, Teng, Leal, Ammiano, Alioto)

File 115-95-8, Ordinance No.

(Adds Section 155.1.)
(City Planning Resolution No. 14010, adopted November 16, 1995)

(Exemption/Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

In connection with the above item, Supervisors Leal, Ammiano, Alioto requested to be added as co-sponsors.

[Sidewalk Width Regulations, Various Locations]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official widths of sidewalks on a portion of Florida Street between 17th Street and Mariposa Street, of a portion of Indiana Street between 23rd Street and 25th Street, and of a portion of Indiana Street between 25th Street and 26th Street, as shown on the Department of Public Works drawings labeled Q-20-427, Q-20-428, and Q-20-429 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-95-3, Ordinance No.

(Adds Section 1520.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Adopted

[Transfer of Beyond Therapy Liquor License]

Resolution determining that the transfer of a beer and wine license to Jerry L. Walker, dba Beyond Therapy from 350 Mason Street to 450 Geary Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-5.2, Resolution No. 42-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Liquor License, 511 Harrison Street]

Resolution determining that the issuance of a Type 48 on-sale general license to Dirk Alton of Event Beverage, Inc. located at 511 Harrison Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-34, Resolution No. 43-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Advisory Council to the Commission on the Aging, for the two-year term ending March 31, 1997. (Rules Committee)

File 92-95-41.1, Resolution No. 33-96

(Donna Calame, Seat No. 20308, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee, for a new three-year term ending December 31, 1998. (Rules Committee)

File 92-95-42.1, Resolution No. 34-96

(Lucinda J. Means, Seat No. 24307, bicyclist-at-large, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for a new four-year term ending June 30, 1999. (Rules Committee)

File 92-95-45, Resolution No. 35-96

(Alan S. Oliver, Seat No. 21818, vice Sherry D. Tennyson, term expired June 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing - Landmarks Appeal]

Hearing appealing decision of the City Planning Commission by its Motion No. 13996, dated November 2, 1995, disapproving the designation of Grand Theater as Landmark No. 216, on property located at 2665 Mission Street, Lot 23 within Assessor's Block 3637.

File 90-95-4

The following persons were granted privilege of the floor:

Appellants: Vincent Marsh, David Bahlman.

Respondents: Bob Passmore, representing City Planning Commission; Alice Barkley; Wayne Hu; Amy Chung.

(Only one of the following two motions should be adopted.)

Tabled

[Landmark Appeal, 2665 Mission Street]

Motion approving decision of the City Planning Commission by its Motion No. 13996, which disapproved the proposal to designate the Grand Theater located at 2665 Mission Street, as a landmark pursuant to the provisions of Article 10 of the City Planning Code.

File 90-95-4.1

Supervisor Kennedy, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

Refused Adoption

[Landmark Appeal, 2665 Mission Street]

Motion disapproving decision of the City Planning Commission by its Motion No. 13996, which disapproved the proposal to designate the Grand Theater located at 2665 Mission Street, as a landmark pursuant to the provisions of Article 10 of the City Planning Code, and approving the landmark designation.

File 90-95-4.2

Supervisor Bierman, seconded by Supervisor Hallinan, moved adoption.

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Migden - 5.

Noes: Supervisors Kaufman, Kennedy, Leal, Shelley, Teng - 5.

Absent: Supervisor Hsieh - 1.

Tabled

[Landmark Designation, 2665 Mission Street]

Ordinance designating the Grand Theater as Landmark No. 216 pursuant to Article 10 of the City Planning Code. (Landmarks Preservation Advisory Board)

File 90-95-4.3, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri, congratulating District Attorney-elect Hallinan;
Gary Johnson, congratulating District Attorney-elect Hallinan;
Rodney, Giants ballpark environmental review.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Terence Hallinan]

Resolution commending Honorable Terence Hallinan for his service on the Board of Supervisors and to the people of the City and County of San Francisco. (Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng)

File 6-95-146, Resolution No. 1-96

(December 18, 1995 - Introduced in Board for consideration on January 2, 1996.)

Adopted.

[Commend John Cribbs]

Resolution honoring John E. Cribbs, Director of Public Works, on the occasion of his retirement. (Supervisors Shelley, Migden, Kaufman, Hsieh, Bierman, Alioto)

File 6-95-147, Resolution No. 2-96

(December 18, 1995 - Introduced in Board for consideration on January 2, 1996.)

Adopted.

[Evangelical Lutheran Church]

Resolution urging the Evangelical Lutheran Church in America to reconsider its decision to expel First United Lutheran Church and St. Francis Lutheran Church for ordaining openly lesbian pastors and rejecting the outdated policy of discriminating against lesbian and gay clerics. (Supervisors Ammiano, Bierman, Migden, Alioto, Leal)

File 308-95-1, Resolution No. 47-96

(December 18, 1995 - Introduced in Board for consideration on January 2, 1996.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange emergency. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Hallinan)

File 30-95-1.26

(December 18, 1995 - Introduced in Board for consideration on January 2, 1996.)

Adopted.

[Final Map, 690 Chestnut Street]

Motion approving final map of 690 Chestnut Street, a condominium project, being a resubdivision of Lot 36 in Assessor's Block 51, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Migden)

File 58-95-33

(December 18, 1995 - Introduced in Board for consideration on January 2, 1996.)

Adopted.

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. (Supervisor Shelley)

File 270-95-6.1

(December 18, 1995 - Introduced in Board for consideration on January 2, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-1, Resolution No. 45-96

(Preston Cook, Commissioner, Port of San Francisco,

December 29 - 31; V. C. Gee, Commission Chair, Ethics Commission, December 19 - 24; Michael Hardeman, Commissioner, Port of San Francisco, December 29, 1995 - January 2, 1996;
Jane E. Rubin, Executive Director, Ethics Commission,
January 4 - 8 and February 24 - March 3, 1996.)

Adopted.

[Election Declaration]

Resolution declaring the results of the Municipal Election conducted December 12, 1995, in the City and County of San Francisco. (Supervisors Shelley, Leal)

File 60-95-21, Resolution No. 14-96

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Sexually Violent Predators Act]

Resolution designating the District Attorney as the officer responsible for filing petitions for the commitment of persons determined by the State Department of Mental Health to be sexually violent predators pursuant to Chapter 763, statutes of 1995. (Supervisors Shelley, Leal)

File 12-95-52, Resolution No. 3-96

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

[Imperative Resolutions]

Adopted

[Commend Anita Theoharis/Westwood Park Assoc.]

Resolution commending Anita Theoharis and the members of the Westwood Park Association for their efforts in developing and advancing the first Residential Character District in San Francisco.

File 006-96-001, Resolution No. 46-96

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Absent: Supervisor Hsieh - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Board of Permit Appeals]

Substitute ordinance amending San Francisco Municipal Code, Part III, Section 8, to provide that the Board of Permit Appeals shall fix the time and place of hearing not less than ten days nor more than forty-five days after the filing of said appeal and shall act thereon not later than sixty days after such filing or a reasonable time thereafter. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 127-95-012.

[Settlement, Modesto/Turlock Irrigation Districts]

Ordinance authorizing settlement of regulatory proceedings before the Federal Energy Regulatory Commission involving increased flows and fishery resource protection costs for the Lower Tuolumne River with costs not to exceed \$2,420,000 and payment to the Modesto and Turlock Irrigation Districts of \$3.5 million per year, with an escalation rate effective year six. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the January 9, 1996 meeting.

File 046-96-002.

[Pawnbroking Moratorium, Mission/Ingleside]

Ordinance amending Police Code Section 2825 to extend the moratorium on the issuance of permits by the Chief of Police to operate any pawnbroking business in the Mission and Ingleside Districts to January 15, 2001. Supervisors Hsieh, Leal presented. Referred to Health/Public Safety/Environment Committee.

File 121-96-001.

[Temporary Stadium Admissions Tax]

Draft ordinance amending San Francisco Municipal Code, Part III, Section 802A to provide that the temporary admission tax may be remitted monthly or annually. Supervisor Hallinan presented. Referred to Budget Committee.

File 127-96-001.

[Grant, Alternative Fuel Vehicles]

Resolution authorizing the Director of Purchasing to accept and expend \$290,338 from the Transportation Fund for clean air for alternative fuel vehicles and authorizing the Director of Purchasing to execute an agreement with the Bay Area Air Quality Management District whereby the City would indemnify the district from claims resulting from the City's performance of said agreement. Supervisor Leal presented. Referred to Government Efficiency/Labor Committee.

File 133-94-001.01.

Referred to Board

[Commend Nanjing Little Red Flower Art Troupe]

Resolution commending the Nanjing Little Red Flower Art Troupe and declaring January 13, 1996 Nanjing Little Red Flower Art Troupe Day in San Francisco. Supervisors Teng, Hsieh, Shelley, Ammiano, Kaufman, Migden, Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 8, 1996.

File 006-96-002.

[Commend Jim Wachob/Bruce Pettit]

Resolution commending Jim Wachob and Bruce Pettit for four years of insightful commentary and for maintaining the highest standards of journalistic excellence. Supervisors Migden, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar January 8, 1996.

File 006-96-003.

[State Legislation, ABXX 55, Tobacco Products Tax]

Resolution supporting ABXX 55 concerning tobacco products tax and urging the Mayor to direct the City's Lobbyist to urge the State Legislature to support ABXX 55. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar January 8, 1996.

File 012-96-001.

[Electric Vehicle Mandate]

Resolution urging Governor Pete Wilson and the State Air Resources Board to reconsider their decision to relax the electric vehicle mandate intended to comply with clean air laws. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar January 8, 1996.

File 012-96-002.

[Department of Public Health Revenues]

Resolution urging the Mayor to take into consideration the declining ability of the Department of Public Health to offset general fund reductions with revenues and make every effort possible within the resources available to protect the health care safety net for the neediest San Francisco residents against federal and state budget cutbacks. Supervisors Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 8, 1996.

File 100-96-002.

Referred to Committee

[Bushmills Whiskey Boycott]

Resolution urging San Franciscans to not purchase Old Bushmills Irish Whiskey, a premier flagship export from the North of Ireland, because of their ongoing practice of employment discrimination and harassment against Catholics. Supervisor Hallinan presented. Referred to Economic Vitality/Social Policy Committee.

File 216-96-001.

Requests for Hearings:

[Garment Industry]

Hearing to consider the status of the garment industry in San Francisco. Supervisor Teng presented. Referred to Government Efficiency/Labor Committee.

File 176-96-001.

[Mission Dolores Soccer Field]

Hearing to consider the progress of the Mission Dolores soccer field. Supervisor Leal presented. Referred to Rules Committee.

File 193-96-001.

[School District Employees Civil Service Status]

Hearing to clarify and consider the many varied issues raised by the school district's relationship to the civil service merit system. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 211-96-001.

Motions:

Referred to Board

[Rebuttal Argument, Moscone Center Expansion]

Motion authorizing the President of the Board of Supervisors to submit to the Registrar of Voters on behalf of the Board of Supervisors a rebuttal ballot argument concerning the Moscone Center expansion. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar January 8, 1996.

File 060-95-019.01.

[China Basin Ballpark Budget Analyst Report]

Motion directing the Budget Analyst to prepare a report analyzing any and all costs to the City that might result from the construction of the proposed China Basin Ballpark as being considered by the voters at the March 26, 1996 election; requesting that the report be given highest priority. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 8, 1996.

File 165-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-001. [Airport Lease Modification, FAA] Ordinance approving lease number DTFA08-95-L-14707, CAT III ILS Localizer Runway 28R between the United States of America, Federal Aviation Administration (FAA) and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-96-001. [Noemy Rincon v. CCSF, et al.] Ordinance authorizing settlement of litigation of Noemy Rincon against the City and County of San Francisco by payment of \$85,000. (Superior Court No. 957-725). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-002. [Gerardo Dejelo/Antonia Dejelo v. CCSF] Ordinance authorizing settlement of litigation of Gerardo Dejelo and Antonia Dejelo against the City and County of San Francisco and Robert Johnson by payment of \$200,000. (Superior Court No. 951-919). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-003. [Emilya Yudson, vs. CCSF, et al.] Ordinance authorizing settlement of litigation of Emilya Yudson against the City and County of San Francisco by payment of \$10,000. (Superior Court No. 965-454). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-96-001. [Cross Complaint, Lavella v. CCSF] Ordinance authorizing settlement of litigation of the City's cross-complaint in Michael Lavella, et al. v. City and County of San Francisco, et al., upon the receipt of \$42,500.86. (Superior Court No. 955-038) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-95-035. [Appropriation, Fire Department] Ordinance appropriating \$1,603,432, Fire Department, of 1989 Earthquake Safety Bond interest earnings for capital improvement projects (lead and asbestos abatement and construction support services) at various fire stations for fiscal year 1995-96. RD #95095. (Controller) Referred to Budget Committee.

File 101-95-036. [Appropriation, Department of Parking and Traffic] Ordinance appropriating \$266,000, Department of Parking and Traffic, from the General Fund to a capital improvement project for soil remediation at St. Mary's Square Garage for fiscal year 1995-96. RD #95103. (Controller) Referred to Budget Committee.

File 101-95-037. [Appropriation, Adult Probation Department] Ordinance appropriating \$646,424, Adult Probation Department, of Federal recurring grant revenue to salaries, fringe benefits, indirect costs, travel, training, non-personal services, materials and supplies, equipment and services of other departments for the creation of three (3) positions to implement the San Francisco Criminal Justice Treatment Network for Women for fiscal year 1995-96; providing for ratification of action previously taken; companion measure to File 102-95-9. RD #95110. (Controller) Referred to Budget Committee.

File 101-95-038. [Appropriation, Board of Supervisors] Ordinance appropriating \$125,000, Board of Supervisors, from the General Fund Reserve for professional services to allow the Budget Analyst to conduct a comprehensive management audit at the Municipal Railway for fiscal year 1995-96. (Implementation of Proposition "J"). RD #95115. (Controller) Referred to Budget Committee.

File 101-95-039. [Appropriation, Civil Service Commission] Ordinance appropriating \$300,000, Civil Service Commission, to conduct a classification study for fiscal year 1995-96. RD #95111. (Controller) Referred to Budget Committee.

File 102-95-009. [Salary Ordinance Amendment, Adult Probation] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), reflecting the creation of three (3) positions in the Adult Probation Department; companion measure to File 101-95-37. (Department of Human Resources) Referred to Budget

Committee.

File 124-96-001. [Vehicle Weight Restriction, Scott Street] Ordinance adding Section 28.5.46 to the San Francisco Traffic Code, adding to the list of streets upon which a commercial vehicle weight restriction shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 028-96-001. [Emergency Repair, Seacliff District] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by capping a brick sewer, stabilizing a hillside and filling a hole created by earth movement in the Seacliff District. (Department of Public Works) Referred to Budget Committee.

File 038-96-001. [Gift Acceptance, Police Department] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, a redistribution of twelve utility vehicles from the Department of the Army. (Police Commission) Referred to Budget Committee.

File 040-96-001. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-002. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-001. [Settlement of Claim, Iliana Segura] Resolution approving the settlement of the unlitigated claim of Iliana Segura by payment of \$8,728.37. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-001. [Land Lease, SFUSD - PTC] Resolution approving the land lease with the San Francisco Unified School District for operating and maintaining an operator restroom at the Marina School District for a term of 35 years and annual rent of One Dollar (\$1.00). (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 068-95-005.01. [Small Business Revolving Loan Program] Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend a loan of Section 108 loan guarantee funds in a total amount not to exceed Fifty Million Dollars (\$50,000,000) and an associated grant of Economic Development Initiative Funds in a total amount not to exceed One Million Dollars (\$1,000,000) both from the U.S. Department of Housing and Urban Development for a Small Business Revolving Loan Program authorized under Section 108 of the Housing and Community Development Act of 1974, as amended and secured with Community Development Block Grant Program funds; indirect costs associated with the acceptance of the loan funds will be provided from the Community Development Block Grant Program; rescinding Resolution No. 315-95. (Mayor's Office of Community Development) Referred to Government Efficiency/Labor Committee.

File 146-96-001. [Grant, STD Prevention and Control Program] Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of 33,562, which includes no indirect costs, from the California Department of Health Services, Sexually Transmitted Disease Control Branch, for STD Outreach, Education and Referral Services; waiving indirect costs. (Department of Public Health). Referred to Government Efficiency/Labor Committee.

File 147-96-001. [State Grant - Major Urban Resource Libraries] Resolution authorizing the San Francisco Public Library to apply for, accept and expend funds not to exceed \$64,645 available through the California State Library from Title I of the Library Services and Construction Act for Major Urban Resource Libraries for fiscal year 1995-96; waiving indirect costs. (Public Library) Referred to Government Efficiency/Labor Committee.

File 147-96-002. [State Grant - Project Read] Resolution authorizing the City Librarian to apply retroactively for, accept and expend funds from the California State Library for student/tutor support, and outreach services; indirect costs of five percent are contained in this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

File 148-96-001. [Federal Grant, Southwest Gateway Improvements] Resolution authorizing the Department of Public Works to apply for, accept and expend retroactively, grant funding in the amount of \$265,500 from the Federal Highway Administration through the California Department of Transportation, for providing direct and indirect costs in the landscape enhancement for the southwest gateway. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 170-95-006.01. [General Obligation Bonds, Series 1996A] Resolution providing for the issuance of not to exceed \$63,590,000 aggregate principal amount of San Francisco General Obligation Bonds, Series 1996A, City Hall Improvement Project; prescribing the form and terms of such Bonds; authorizing the execution, authentication and registration of said Bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said Bonds; providing for the establishment of funds related thereto; authorizing and directing the sale of said Bonds; approving the form of official Notice of Sale of Bonds and Notice of Intention to

Sell Bonds; directing the publication of Notice of Sale and Notice of Intention to Sell Bonds; approving the form and execution of the official statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City Officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds. (Chief Administrative Officer) Referred to Budget Committee.

File 172-96-001. [Medical Services Agreement] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, with PacificCare of California for the provision of medical services to employees of the University of California enrolled in the PacificCare Health Plan effective retroactively to January 1, 1996. (Also see File 97-94-76). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that the City Attorney clarify the role and responsibilities of the Department of Environment and respond to a list of questions in connection with the above request.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

George Chinn (By the Entire Board)
Kathie Goto (Supervisor Shelley)
John Milton, Sr. (Supervisor Kennedy)
Daniel Florencio (Supervisor Hallinan)
Connie Boucher (Supervisor Alioto)
Michael Videtich (Supervisor Bierman)
Robert C. Veysey (Supervisor Leal)

File 2-96-1

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:48 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 5, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, January 8, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 8, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:37 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley - 7.

Noted absent at first roll call:

Supervisors Kennedy, Migden, Teng - 3.

Quorum present.

Supervisor Kennedy was noted present at 3:21 p.m.

Supervisor Migden was noted present at 2:38 p.m.

Supervisor Teng was noted present at 2:41 p.m.

COMMUNICATION

The Clerk presented the following communication from Terence Hallinan:

December 18, 1995

John L. Taylor
Clerk of the Board
Board of Supervisors
401 Van Ness Avenue-Room 308
San Francisco, CA 94102

Dear Mr. Taylor:

I hereby resign from the office of member of the Board of Supervisors of the City and County of San Francisco effective on my swearing in and taking office as San Francisco District Attorney.

It is my intention to be sworn in shortly after noon on Monday, January 8, 1996, and shortly after Willie Brown is sworn in as Mayor. Thus the vacancy in the office of Supervisor will occur while Mr. Brown is Mayor.

This resignation is sent to you in accordance with the provisions of California Government Code Section 1750.

I have enjoyed working with my colleagues on the board and with you and your staff. I am sure we will continue to work together when I am in my new position.

Sincerely

Terence Hallinan

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Sheriff Department]
Ordinance appropriating \$19,218, Sheriff Department, of Jail Overcrowding Fine Revenue to professional

services to fund the Supervised Misdemeanor Release Program to reduce jail overcrowding for fiscal year 1995-96; placing \$19,218 on reserve. (Controller)

File 101-95-29, Ordinance No. 24-96

Finally passed.

[Appropriation, Medical Examiner]

Ordinance appropriating \$114,799 and \$8,799, Medical Examiner, from General Fund Reserve and \$106,000 from contractual services, to salaries and fringe benefits to create three (3) positions to continue body removal services for fiscal year 1995-96. (Controller)

File 101-95-30, Ordinance No. 25-96

Finally passed.

[Salary Ordinance Amendment, Medical Examiner]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the addition of three positions (Class 2580 Coroner's Investigator) in the Medical Examiner-Coroner's Office; companion measure to File 101-95-30. (Department of Human Resources)

File 102-95-7, Ordinance No. 29-96

Finally passed.

[Appropriation, Community Development]

Ordinance appropriating \$172,620, Mayor's Office of Community Development, of Dispute Resolution Program Funds to continue contracts for dispute resolution services in fiscal year 1995-96; providing for ratification of action previously taken. (Controller)

File 101-95-31, Ordinance No. 26-96

Finally passed.

[Appropriation, Various Departments]

Ordinance appropriating \$200,000, Offices of Chief Administrative Officer, City Attorney and Controller from various Bond Fund Proceeds (1992 Golden Gate Park Irrigation Bonds and Earthquake Safety Bonds) for bond issuance costs for fiscal year 1995-96. (Controller)

File 101-95-32, Ordinance No. 27-96

Finally passed.

[Appropriation, Departments of Public Health and Social Services]

Ordinance appropriating and rescinding \$643,091, Department of Public Health and Department of Social Services, of General Funds to salaries, fringe benefits, professional services, materials and supplies and adjusting revenues for the creation of two (2) positions and the deletion of nine (9) positions at the Department of Public Health, and the creation of fourteen (14) positions and the deletion of seven (7) positions at the Department of Social Services to reorganize the SSI One Stop Shop Program for fiscal year 1995-96. (Controller)

File 101-95-34, Ordinance No. 28-96

Finally passed.

[Salary Ordinance, Departments of Public Health and Social Services]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the addition of two (2) positions and the deletion of nine (9) positions; at the Department of Public Health, and the addition of fourteen (14) positions and the deletion of seven (7) positions at the Department of Social Services; companion measure to File 101-95-34. (Department of Human Resources)

File 102-95-8, Ordinance No. 30-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport Lease Modification, FAA]
Ordinance approving modification of leases DTFA08-92-L-14110, DTFA08-93-L-14138, and DTFA08-92-L-14111 by and between the United States of America and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-19, Ordinance No. 1-96

Finally passed.

[Airport Lease Modification, FAA]
Ordinance approving, retroactively, lease numbers DTFA08-95-L-14713, DTFA08-95-L-14717, DTFA08-95-L-14708 and DTFA08-95-L-14709 between the United States of America, Federal Aviation Administration (FAA) and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-20, Ordinance No. 2-96

Finally passed.

[State Compensation Insurance Fund v. CCSF]
Ordinance authorizing settlement of litigation of State Compensation Insurance Fund against the City and County by payment of \$11,000. (City Attorney)

File 45-95-53, Ordinance No. 7-96

(Municipal Court No. 103-104.)

Finally passed.

[Charles Johnson/Diane Johnson v. CCSF]
Ordinance authorizing settlement of litigation of Charles Johnson and Diane Johnson against the City and County by payment of \$17,500. (City Attorney)

File 45-95-54, Ordinance No. 8-96

(Superior Court No. 957-633.)

Finally passed.

[Ford Construction Company, Inc. v. CCSF]
Ordinance authorizing settlement of litigation of Ford Construction Company, Inc. against the City and County by payment of \$90,000. (City Attorney)

File 45-95-55, Ordinance No. 9-96

(Superior Court No. 963-502.)

Finally passed.

[Conveyance of Easement, Stanford University]
Ordinance authorizing conveyance of easement over Water Department right-of-way in Santa Clara County pursuant to settlement approved by Public Utilities Commission. (Real Estate Department)

File 82-95-4, Ordinance No. 10-96

Finally passed.

[Amendment to MOU, Local 22]-
Ordinance amending Ordinance No. 116-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Carpenters, Local 22 and the City and County, for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-6.2, Ordinance No. 11-96

Finally passed.

[Amendment to MOU, Local 580]
Ordinance amending Ordinance No. 121-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Cement Masons, Local 580 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-11.2, Ordinance No. 12-96

Finally passed.

[Amendment to MOU, Local 104]

Ordinance amending Ordinance No. 122-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Sheetmetal Workers, Local 104 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-12.2, Ordinance No. 13-96

Finally passed.

[Amendment to MOU, Local 6]

Ordinance amending Ordinance No. 123-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-13.2, Ordinance No. 14-96

Finally passed.

[Amendment to MOU, Local 16]

Ordinance amending Ordinance No. 124-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the International Alliance of Theatrical Stage Employees, Local 16 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-14.2, Ordinance No. 15-96

Finally passed.

[Amendment to MOU, Local 40]

Ordinance amending Ordinance No. 126-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Roofers, Local 40 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-16.2, Ordinance No. 16-96

Finally passed.

[Amendment to MOU, Local 34]

Ordinance amending Ordinance No. 129-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Pile Drivers, Local 34 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-19.2, Ordinance No. 17-96

Finally passed.

[Amendment to MOU, Local 856]

Ordinance amending Ordinance No. 132-95 to correct clerical errors in the language to the provision addressing overtime of the Memorandum of Understanding between the Probation Officers Association, Local 856 and the City and County for the period July 1, 1995 through June 30, 1996. (Department of Human Resources)

File 93-95-24.2, Ordinance No. 18-96

Finally passed.

[Local 21 Arbitrator's Award]

Ordinance adopting and implementing the provisions of an Arbitrator's Award interpreting the provisions of the Memorandum of Understanding regarding the compensation of real property auditors and appraisers between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County, to be effective retroactive to July 1, 1994. (Supervisor Shelley)

File 93-95-35.3, Ordinance No. 19-96

Finally passed.

[Amendment to MOU, Stationary Engineers, Local 39]

Ordinance adopting and implementing the provisions of amendment number 2 to the Memorandum of Understanding between the International Union of Operating Engineers Stationary, Local 39 and the City and County providing that all covered employees be placed into full retirement contribution effective two pay periods after approval of this ordinance by the Mayor. (Department of Human Resources)

File 93-95-43.1, Ordinance No. 20-96

Finally passed.

[MOU, Local 865, Bargaining Unit 11B]

Ordinance adopting and implementing, retroactively, the provisions of a Memorandum of Understanding between the Freight Checkers, Clerical Employees and Helpers, Local 856 and the City and County for Bargaining Unit 11B, Supervising Registered Nurses, for the period July 1, 1994 through June 30, 1996. (Department of Human Resources)

File 93-95-52, Ordinance No. 21-96

Finally passed.

[Electronic Equipment Procurement]

Ordinance amending Administrative Code, enabling the Electronic Information Processing Steering Committee to review procurement of electronic information processing resources conducted through or in conjunction with state or federal agencies and programs. (Supervisors Teng, Ammiano, Bierman)

File 97-95-60, Ordinance No. 22-96

(Adds Section 3.021.)

Finally passed.

[Payment by Credit Cards - Dept. of Animal Control]

Ordinance amending Administrative Code, to authorize the Department of Animal Care and Control to accept payments by credit cards and ATM cards. (Supervisor Leal)

File 97-95-66, Ordinance No. 23-96

(Adds Section 10.11-4.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Zoning Map Amendments, Westwood Park RCD]

Ordinance amending Planning Code by amending the Zoning Map of the City and County for certain properties in the Westwood Park Subdivision, generally bounded by Ocean Avenue, Plymouth Avenue (including east side properties), Greenwood Avenue (including south side properties), Judson Avenue, Phelan Avenue, Flood Avenue, Ridgewood Avenue, south side of Monterey Boulevard and Faxon Avenue (including west side properties), all of Assessor's Blocks 3106-3113, 3133-3138, 3160-3166, 3173-3178, 3189-3190 and portions of Assessor's Blocks 3167, 3191 and 3196-3199, to create the Westwood Park Residential Character District. (Supervisor Shelley)

File 36-95-6.1, Ordinance No. 4-96

(City Planning Resolution No. 13992, adopted October 26, 1995.)

Finally passed.

[Zoning Map Amendments, Westwood Park Height/Bulk]

Ordinance amending Planning Code by amending the Zoning Map of the City and County for certain properties in the Westwood Park Subdivision, generally bounded by Ocean Avenue, Plymouth Avenue (including south side properties), Greenwood Avenue (including south side properties), Judson Avenue, Phelan Avenue, Flood Avenue, Ridgewood Avenue, south side of Monterey Boulevard and Faxon Avenue (including west side properties), all of Assessor's Blocks 3106-3113, 3133-3138, 3160-3166, 3173-3178, 3189-3190 and portions of Assessor's Blocks 3167, 3191, and 3196-3199, to reclassify these properties from a 40-X Height and Bulk District to a 28-X Height and Bulk District. (Supervisor Shelley)

File 36-95-6.2, Ordinance No. 5-96

(City Planning Resolution No. 13992, adopted October 26, 1995.)

Finally passed.

[Westwood Park Residential Character District]
Ordinance amending City Planning Code, to add Residential Character Districts and to create the Westwood Park Residential Character District, and to recognize special rear yard requirements and special height limits for Residential Character Districts; companion measure to Files 36-95-6.1, and 36-95-6.2. (Supervisor Shelley)

File 115-95-14, Ordinance No. 32-96

(City Planning Resolution No. 13992, adopted October 26, 1995.)

(Adds Sections 244, 244.1;
Amends Sections 134 and 252.1.)

Finally passed.

[Zoning Map Change, 1745-1765 California Street]
Ordinance amending City Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County for property generally described as Assessor's Block 647, Lot 12 from an RM-3 District to an NC-3 Neighborhood Commercial District and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-95-7.1, Ordinance No. 6-96

(City Planning Resolution No. 13974, adopted October 11, 1995.)
(Motion No. 13975, adopted October 12, 1995.)

Finally passed.

[Bicycle Racks]
Ordinance amending Planning Code, to provide bicycle storage for all City-owned and City-leased properties. (Supervisors Migden, Bierman, Teng, Leal, Ammiano, Alioto)

File 115-95-8, Ordinance No. 31-96

(Adds Section 155.1.)
(City Planning Resolution No. 14010, adopted November 16, 1995)
(Exemption/Exclusion from Environmental Review.)

Finally passed.

[Sidewalk Width Regulations, Various Locations]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" changing the official widths of sidewalks on a portion of Florida Street between 17th Street and Mariposa Street, of a portion of Indiana Street between 23rd Street and 25th Street, and of a portion of Indiana Street between 25th Street and 26th Street, as shown on the Department of Public Works drawings labeled Q-20-427, Q-20-428, and Q-20-429 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-95-3, Ordinance No. 3-96

(Adds Section 1520.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Kennedy, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Health, Public Safety and Environment Committee

Rereferred to Committee

[Domestic Violence]

Resolution finding that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution to these cases; urging the judges of the Municipal Court to stop the use of civil compromise in domestic violence cases; urging that when such compromises are considered that proper notice and hearings are required; and further urging the District Attorney to continue his efforts to resist civil compromise in domestic violence cases and continue the pursuit to amend the California Penal Code to prohibit the use of civil compromise in domestic violence cases. (Supervisors Kaufman, Alioto, Hallinan, Leal, Shelley, Teng)

File 237-95-1, Resolution No.

(January 2, 1996 - Consideration continued to January 8, 1996.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Supervisor Kaufman, seconded by Supervisor Leal, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

The President resumed the Chair.

Recommendation of Rules Committee

Rereferred to Select Committee on Oversight
and Implementation of the New City Charter

[Task Force, New City Charter Implementation]

Resolution urging the Mayor to establish a task force on the implementation of the new city Charter and urging the Mayor, Chief Administrative Officer, Controller, City Attorney and Chair of the Board of Supervisors Select Committee on Oversight and Implementation of the New City Charter or their representatives to serve as members of the task force; providing the public with opportunities to fully participate in overseeing the timely implementation of the New City Charter. (Supervisors Kaufman, Shelley, Teng)

File 174-95-8, Resolution No.

(December 11, 1995 - Consideration continued to January 8, 1996.)

Supervisor Kaufman, seconded by Supervisor Leal, moved to rerefer to Select Committee on Oversight and Implementation of the New City Charter.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Cash Revolving Fund - Sheriff/Inmate Welfare]

Ordinance amending the Administrative Code, creating the Sheriff's Inmate Welfare Cash Revolving Fund in the amount of \$10,000. (Sheriff)

File 97-95-69, Ordinance No.

(Adds Section 10.164-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

[Cash Revolving Fund - Sheriff]

Ordinance amending the Administrative Code, increasing the Sheriff's Cash Revolving Fund from \$6,000 to \$8,000. (Sheriff)

File 97-95-70, Ordinance No.

(Amends Section 10.164.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

Adopted

[Asian Art Museum Bonds, 1994]

Resolution declaring the intent of the City and County to reimburse certain expenditures for the Asian Art Museum Project from proceeds of future indebtedness; and authorizing the Chief Administrative Officer to develop a plan of finance. (Chief Administrative Officer)

File 170-94-10.1, Resolution No. 49-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

[Earthquake Safety Bonds, 1989]

Resolution declaring the intent of the City and County to reimburse certain expenditures for the Asian Art Museum Project from proceeds of future indebtedness; and authorizing the Chief Administrative Officer to develop a plan of finance; companion measure to File 170-94-10.1. (Chief Administrative Officer)

File 170-95-13, Resolution No. 50-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Alioto assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Adopted

[Lobos Creek Moratorium Extension]

Resolution extending Interim Zoning Controls to prohibit temporarily the approval of permits or other land use entitlements, subject to specific exceptions, for property within the Lobos Creek Conservation District as herein defined, for a three (3) month period, providing for monthly reports on status of permanent legislation and amending Resolution No. 590-94. (Supervisor Shelley)

File 111-94-1.2, Resolution No. 48-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

The President resumed the Chair.

[Golden Gate Park Conservatory Emergency Repairs]
Resolution urging the Mayor to submit a supplemental appropriation to initiate emergency repairs on the Golden Gate Park Conservatory Design. (Supervisors Ammiano, Migden, Bierman, Alioto, Leal, Shelley, Kaufman, Hsieh, Teng)

File 193-95-9, Resolution No. 51-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Kaufman, Hsieh, Teng requested to be added as co-sponsors.

Adopted as Amended

[Ballot Argument, Lease Financing, Moscone Center]
Motion authorizing ballot argument in favor of Proposition A, a lease financing arrangement for acquisition and construction of additional convention center facilities and related equipment, fixtures and furnishings in the South of Market Area. (Supervisor Ammiano)

File 60-95-19

Supervisor Ammiano, seconded by Supervisor Kaufman, moved an Amendment of the Whole ballot argument.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisors Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

COMMITTEE REPORTS

Recommendation of Housing and Land Use Committee

Adopted

[Liquor License, 413-415 Geary Street]
Resolution determining that issuance of a Type 48 on-sale general premise liquor license at 413-415 Geary Street to Dianne Prichard for The American Conservatory Theater (A.C.T.) will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-35, Resolution No. 52-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kennedy - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dorothy Mercent.

There being no one else wishing to speak, the President declared the public comment portion of the

meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Nanjing Little Red Flower Art Troupe]
Resolution commending the Nanjing Little Red Flower Art Troupe and declaring January 13, 1996 Nanjing Little Red Flower Art Troupe Day in San Francisco. (Supervisors Teng, Hsieh, Shelley, Ammiano, Kaufman, Migden, Alioto, Bierman)

File 6-96-2, Resolution No. 54-96

(January 2, 1996 - Introduced in Board for consideration on January 8, 1996.)

Adopted.

[Commend Jim Wachob/Bruce Pettit]
Resolution commending Jim Wachob and Bruce Pettit for four years of insightful commentary and for maintaining the highest standards of journalistic excellence. (Supervisors Migden, Shelley, Alioto, Teng, Bierman, Kaufman, Ammiano, Leal, Hsieh, Kennedy)

File 6-96-3, Resolution No. 55-96

(January 2, 1996 - Introduced in Board for consideration on January 8, 1996.)

Adopted.

In connection with the above item, Supervisors Alioto, Teng, Bierman, Kaufman, Ammiano, Leal, Hsieh, Kennedy requested to be added as co-sponsors.

[State Legislation, ABXX 55, Tobacco Products Tax]
Resolution supporting ABXX 55 concerning tobacco products tax and urging the Mayor to direct the City's Lobbyist to urge the State Legislature to support ABXX 55. (Supervisors Alioto, Teng, Bierman)

File 12-96-1, Resolution No. 58-96

(January 2, 1996 - Introduced in Board for consideration on January 8, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, requested to be added as co-sponsors.

[Electric Vehicle Mandate]
Resolution urging Governor Pete Wilson and the State Air Resources Board to reconsider their decision to relax the electric vehicle mandate intended to comply with clean air laws. (Supervisors Migden, Bierman, Leal)

File 12-96-2, Resolution No. 59-96

(January 2, 1996 - Introduced in Board for consideration on January 8, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal, requested to be added as co-sponsors.

[Department of Public Health Revenues]
Resolution urging the Mayor to take into consideration the declining ability of the Department of Public Health to offset general fund reductions with revenues and make every effort possible within the resources available to protect the health care safety net for the neediest San Francisco residents against federal and state budget cutbacks. (Supervisors Alioto, Bierman)

File 100-96-2, Resolution No. 60-96

(January 2, 1996 - Introduced in Board for consideration on January 8, 1996.)

Adopted.

[Rebuttal Argument, Moscone Center Expansion]

Motion authorizing the President of the Board of Supervisors to submit to the Registrar of Voters on behalf of the Board of Supervisors a rebuttal ballot argument concerning the Moscone Center expansion. (Supervisor Shelley)

File 60-95-19.1

(January 2, 1996 - Introduced in Board for consideration on January 8, 1996.)

Adopted.

[China Basin Ballpark Budget Analyst Report]

Motion directing the Budget Analyst to prepare a report analyzing any and all costs to the City that might result from the construction of the proposed China Basin Ballpark as being considered by the voters at the March 26, 1996 election; requesting that the report be given highest priority. (Supervisors Ammiano, Bierman)

File 165-96-1

(January 2, 1996 - Introduced in Board for consideration on January 8, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-2, Resolution No. 53-96

(Tom Ammiano, member, Board of Supervisors, December 23 - 28, 1995; Michael S. Strunsky, Member, Airports Commission, January 4 - 8, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

[Imperative Resolutions]

Adopted

[Commend Frank M. Jordan]

Resolution commending and honoring Frank M. Jordan for his distinguished service to the City and County of San Francisco.

File 006-96-004, Resolution No. 56-96

Supervisors Shelley, Hsieh, Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

[Commend Peter Adair]

Resolution recognizing Peter Adair's decades of cultural, artistic and community service and leadership.

File 006-96-006, Resolution No. 57-96

Supervisors Ammiano, Migden, Leal, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[911 Emergency Response Fund Interest]

Ordinance amending Administrative Code Section 10.204 to require, retroactive to September 1, 1994, that interest earned from the fund be retained in the fund to be expended only for the purposes for which the fund was established. Supervisor Shelley presented. Referred to Joint Rules/Budget Committee.

File 097-96-002.

[Lead Poisoning Prevention Committee]

Ordinance amending Health Code Section 1607 to reduce the membership of the Lead Poisoning Prevention Citizens Advisory Committee from 29 members to 25 members. Supervisor Shelley presented. Referred to Rules Committee.

File 118-96-001.

Referred to Board

[Proclaim Chinese New Year Day]

Resolution declaring February 19, 1996 to be "Celebrating Chinese New Year Day" in San Francisco in commemoration of the Year of the Rat. Supervisors Hsieh, Shelley, Teng, Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar January 16, 1996.

File 004-96-001.

[Commend Sylvia Harper]

Resolution commending and congratulating San Francisco Police Captain Sylvia Harper on her appointment as the Commander of Richmond District Police Station. Supervisors Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar January 16, 1996.

File 006-96-005.

[State Legislation, AB 1982, Same-Sex Marriages]

Resolution opposing Assembly Bill 1982 (Knight) and urging the Mayor to direct the City's Lobbyist to urge the State Legislature to oppose AB 1982 concerning recognition of same-sex marriages. Supervisors Alioto, Ammiano, Migden, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar January 16, 1996.

File 012-96-003.

[State Legislation, AB 1001, Education Code]

Resolution requesting that the City Lobbyist and the San Francisco Delegation in the State Legislature support adoption of AB 1001 which would add sexual orientation to the list of protected categories in the California Education Code. Supervisors Ammiano, Alioto, Leal, Kaufman, Bierman presented. Referred to Board for Adoption Without Reference to Committee Calendar January 16, 1996.

File 012-96-004.

[Mission Armory Task Force]

Resolution creating the Mission Armory Task Force for a three month period to study options for the use of the Mission Armory facility. Supervisors Leal, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 16, 1996.

File 174-96-001.

Referred to Committee

[Hold Harmless Agreement]

Resolution authorizing hold harmless agreement with Alameda County pertaining to potential actions challenging the validity of land use entitlements requested for the San Francisco Water Department's Bernal property. Supervisor Kennedy presented. Referred to Government Efficiency/Labor Committee.

File 188-96-001.

[Mortgage Credit Certificates]

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates not to exceed \$25,000,000. Supervisor Shelley presented. Referred to Budget Committee with request it be considered at the January 17, 1996 meeting.

File 218-96-001.

Requests for Hearings:

[State AIDS Drug Assistance Program]

Hearing to consider the addition of newly approved drugs to the State's AIDS Drug Assistance Program. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 012-96-005.

[Construction Contract]

Hearing to consider the San Francisco Redevelopment Agency's supervision of construction contracts located at 1708 Laguna and 1694 Sutter Streets. Supervisor Kennedy presented. Referred to Economic

Vitality/Social Policy Committee with request it be considered at the February 6, 1996 meeting.

File 161-96-001.

[Interim Police 911 System]

Hearing to consider report by the Police Department and the Controller on the status of an interim replacement of the Police Computer Assisted Dispatch (CAD)/911 system. Supervisor Shelley presented. Referred to Joint Rules/Budget Committee.

File 207-96-001.

[Treasure Island]

Hearing to consider proposed homeless assistance uses for Treasure Island by the Treasure Island Homeless Development Initiative (TIHDI), as part of the total reuse plan. Supervisor Shelley presented. Referred to Select Committee on Base Conversion for the Presidio, Hunters Pt. Naval Shipyard and Treasure Island with request it be considered on January 16, 1996.

File 244-96-001.

Motions:

Referred to Board

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar January 16, 1996.

File 270-95-006.02.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 16, 1996.

File 030-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-004. [Settlement of Litigation, Afsari/Holtgrewe] Ordinance authorizing settlement of litigation of Julie Whitton-Afsari, Mandijeh Afsari, Kenneth Holtgrewe against the City and County of San Francisco by payment of \$497,500. (Superior Court No. 958-653 (consolidated)). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-96-003. [CCSF v. Thornton Architects, et al.] Ordinance authorizing settlement of the litigation in City and County of San Francisco against Thornton Architects, Inc., et al., upon receipt of \$175,000. (Superior Court No. 964-427). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-95-040. [Appropriation, Convention Facilities Management] Ordinance appropriating and rescinding \$466,000, Convention Facilities Management Department, of Convention Facilities Funds to a capital improvement project (provide initial funding for the Moscone Expansion Project and final funding for the convention expansion study), for fiscal year 1995-96. RO #95121. (Convention Facilities Management Department) Referred to Budget Committee.

File 124-96-002. [Parking Control, Street Areas Within SFGH] Ordinance amending Traffic Code Section 32.2 to require a permit to park in additional areas adjacent to San Francisco General Hospital; companion measure to File 199-96-1. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 042-96-001. [Temporary Street Closing, Pine Street] Resolution granting revocable permission to PCL Construction Services, Incorporated to temporarily close and occupy the southerly sidewalk of Pine Street between Franklin and Van Ness Avenue during construction operations at the San Francisco Towers Project, Assessor's Block 666. DPW Order No. 169,350. (Department of Public Works) Referred to Housing and Land Use Committee.

File 048-96-002. [Settlement of Claim, Hans Raina] Resolution approving the settlement of the unlitigated claim of Hans Raina by payment of \$10,250. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-003. [Settlement of Claim, Jason Skelly] Resolution approving the settlement of the unlitigated claim of Jason Skelly by payment of \$7,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 199-96-001. [S.F. General Hospital Parking System] Resolution approving the transfer of jurisdiction and control over certain parking lots located within San Francisco General Hospital Medical Center to Parking Authority; approving the Memorandum of Understanding between the City and the Parking Authority regarding the creation and management of a parking system for the San Francisco General Hospital Medical Center; authorizing the Parking Authority to seek bids for the management of the parking system; approving the form of bid documents; and appointing City officials to act as agents of the Parking Authority; companion measure to File 124-96-2. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to San Francisco Redevelopment Agency requesting attendance of the director and/or representatives who oversees the various construction contracts at 1708 Laguna and 1694 Sutter Street concerning prevailing wages and payment to subcontractors to be considered at the February 6, 1996 Economic Vitality and Social Policy Committee meeting. File 161-96-1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sie Newton (Supervisor Kennedy)
D. L. Coleman (Supervisor Kennedy)
Paul Hardman (By the Full Board)
Francois Mitterand (By the Full Board)
Les Lacy Ward (Supervisor Leal)
Virginia Lee Taylor (Supervisor Leal)
Fredrik Feltham (Supervisor Leal)
Sheri Webb (Supervisor Ammiano)

File 2-96-2

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:35 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 5, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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1/16/96
Tuesday, January 16, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91

Number 3

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, January 16, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:21 p.m. On call of the roll, the following Supervisors were noted present:

Supervisor Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Noted absent at first roll call:

Supervisors Kaufman - 1.

Quorum present.

Supervisor Kaufman excused. (See infra.)

Supervisor Kaufman Excused

The Clerk stated Supervisor Kaufman requested to be excused from attending today's meeting.

Supervisor Leal, seconded by Supervisor Teng, moved to excuse Supervisor Kaufman.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Disability Awareness Day

The Board of Supervisors participated in the first-ever "Disability Awareness Day" by agreeing to be "disabled-for-a-day" at today's Board meeting.

Supervisors Tom Ammiano and Carole Migden spent the day "blind", using eye shields or sunglasses and a white cane for mobility.

Supervisor Tom Hsieh was "deaf" and used a steno-captioner (a device which displays voice input on a computer screen).

Supervisor Angela Alioto had her arm in a sling.

Supervisors Kevin Shelley, Sue Bierman, Susan Leal, Willie B. Kennedy and Mabel Teng spent the day in wheelchairs.

Sign language interpreters were present during the meeting.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, December 11, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Cash Revolving Fund - Sheriff/Inmate Welfare]

Ordinance amending the Administrative Code, creating the Sheriff's Inmate Welfare Cash Revolving Fund in the amount of \$10,000. (Sheriff)

File 97-95-69, Ordinance No. 33-96

(Adds Section 10.164-1.)

Finally passed.

[Cash Revolving Fund - Sheriff]

Ordinance amending the Administrative Code, increasing the Sheriff's Cash Revolving Fund from \$6,000 to \$8,000. (Sheriff)

File 97-95-70, Ordinance No. 34-96

(Amends Section 10.164.)

Finally passed.

Adopted

[Gift Acceptance, Police Department]

Resolution authorizing the Chief of Police to accept, on behalf of the Police Department, a redistribution gift of twelve (12) utility vehicles from the Department of the Army. (Police Commission)

File 38-96-1, Resolution No. 85-96

Adopted.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification No. 002, FAA]

Ordinance approving Modification No. 002 of FAA Lease No. DOT-FA76WE-3702A between the United States of America (FAA) and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-21, Ordinance No.

Passed for second reading.

[Noemy Rincon v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Noemy Rincon against the City and County by payment of \$85,000. (City Attorney)

File 45-96-1, Ordinance No.

(Superior Court No. 957-725.)

Passed for second reading.

[Gerardo Dejelo/Antonia Dejelo v. CCSF]

Ordinance authorizing settlement of litigation of Gerardo Dejelo and Antonia Dejelo against the City and County and Robert Johnston by payment of \$200,000. (City Attorney)

File 45-96-2, Ordinance No.

(Superior Court No. 951-919.)

Passed for second reading.

[Emilya Yudson vs. CCSF, et al.]

Tuesday, January 16, 1996

Ordinance authorizing settlement of litigation of Emily Yudson against the City and County by payment of \$10,000. (City Attorney)

File 45-96-3, Ordinance No.

(Superior Court No. 965-454.)

Passed for second reading.

[Cross Complaint, Lavella v. CCSF]

Ordinance authorizing settlement of litigation of the City's cross-complaint in Michael Lavella, et al. v. City and County, et al., upon the receipt of \$42,500.86. (City Attorney)

File 46-96-1, Ordinance No.

(Superior Court No. 955-038.)

Passed for second reading.

Adopted

[Settlement of Claim, Laidlaw Transportation]

Resolution approving the settlement of the unlitigated claim of Laidlaw Transportation by payment of \$27,647.01. (City Attorney)

File 48-95-32, Resolution No. 64-96

Adopted.

[Settlement of Claims, Lei Ming He/Li Ming Yuan]

Resolution approving the settlement of the unlitigated claims of Lei Ming He and Li Ming Yuan by payment of \$21,000. (City Attorney)

File 48-95-33, Resolution No. 65-96

Adopted.

[Settlement of Claim, Nathan Smidt]

Resolution approving the settlement of the unlitigated claim of Nathan Smidt by payment of \$20,000. (City Attorney)

File 48-95-34, Resolution No. 66-96

Adopted.

[Settlement of Claim, Iliana Segura]

Resolution approving the settlement of the unlitigated claim of Iliana Segura by payment of \$8,728.37. (City Attorney)

File 48-96-1, Resolution No. 86-96

Adopted.

[State Grant, STD Prevention and Control Program]

Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of 33,562, which includes no indirect costs, from the California Department of Health Services, STD Control Branch, for STD Outreach, Education and Referral Services; waiving indirect costs. (Supervisor Alioto)

File 146-96-1, Resolution No. 87-96

Adopted.

[State Grant - Project Read]

Resolution authorizing the City Librarian to apply retroactively for, accept and expend funds from the California State Library for student/tutor support, and outreach services; indirect costs of five percent are contained in this grant. (Supervisors Alioto, Teng)

File 147-96-2, Resolution No. 89-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Budget Committee "Without Recommendation"

Adopted

[Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 1996 Emergency Shelter grants program and expenditure schedule and authorizing the Mayor to apply for, accept, and expend a \$65,000 entitlement for the Salvation Army under the Emergency Shelter grants program from the U.S. Department of Housing and Urban Development. (Budget Committee)

File 68-95-9.1, Resolution No. 68-96

(January 2, 1996 - Consideration continued to January 16, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisor Ammiano - 1.

Absent: Supervisor Kaufman - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Fire Department]

Ordinance appropriating \$1,603,432, Fire Department, of 1989 Earthquake Safety Bond interest earnings for capital improvement projects (lead and asbestos abatement and construction support services) at various fire stations for fiscal year 1995-96; placing \$492,397 on reserve and providing for ratification of action previously taken. (Controller)

File 101-95-35, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Appropriation, Department of Parking and Traffic]

Ordinance appropriating \$266,000, Department of Parking and Traffic, from the General Fund Reserve to a capital improvement project for soil remediation at St. Mary's Square Garage for fiscal year 1995-96; placing a reserve of \$190,000. (Controller)

File 101-95-36, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Appropriation, Adult Probation Department]

Ordinance appropriating \$609,913, Adult Probation Department, of Federal recurring grant revenue to salaries, fringe benefits, indirect costs, travel, training, non-personal services, materials and supplies, equipment and services of other departments for the creation of three (3) positions to implement the San Francisco Criminal Justice Treatment Network for Women for fiscal year 1995-96; providing for ratification of action previously taken; placing \$18,654 on reserve. (Controller)

File 101-95-37, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Salary Ordinance Amendment, Adult Probation Department]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), reflecting the creation of three (3) positions, 8434G Supv. Adult Probation Officer, 8442G Senior Probation Officer, 1424G Clerk Typist in the Adult Probation Department; companion measure to File 101-95-37. (Department of Human Resources)

File 102-95-9, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Adopted

[Emergency Repair, Seacliff District]

Resolution authorizing the Director of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by capping a brick sewer, stabilizing a hillside and filling a hole created by earth movement in the Seacliff District (estimated amount of \$3,160,000). (Supervisor Shelley)

File 28-96-1, Resolution No. 84-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Amendment of the Whole Adopted;
Adopted as Amended

[General Obligation Bond Sale, Series 1996A]

Resolution providing for the issuance of not to exceed \$63,590,000 aggregate principal amount of San Francisco General Obligation Bonds, Series 1996A, City Hall Improvement ((Program)) Project; prescribing the form and terms of such bonds; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of funds related thereto; authorizing and directing the sale of said bonds; approving the form of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of Notice of Sale and Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Chief Administrative Officer)

File 170-95-6.1, Resolution No. 70-96

(Fiscal Impact.)

Supervisor Hsieh, seconded by Supervisor Migden, moved an amendment of the whole entitled, "Resolution providing for the issuance of not to exceed \$63,590,000 aggregate principal amount of San Francisco General Obligation Bonds, Series 1996A, City Hall Improvement Project; prescribing the form

and terms of such bonds; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of funds related thereto; authorizing and directing the sale of said bonds; approving the form of Official Notice of Sale of Bonds and Notice of Intention to Sell Bonds; directing the publication of Notice of Sale and Notice of Intention to Sell Bonds; approving the form and execution of the Official Statement relating thereto; approving the form of the Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement, Modesto/Turlock Irrigation Districts]
Ordinance authorizing settlement of regulatory proceeding before the Federal Energy Regulatory Commission involving increased flows and fishery resource protection costs for the Lower Tuolumne River with costs not to exceed \$2,420,000 and payment to the Modesto and Turlock Irrigation Districts of \$3.5 million per year, with an escalation rate effective year six. (Supervisors Shelley, Bierman)

File 46-96-2, Ordinance No.

Supervisor Shelley Excused from Voting

On advise of the City Attorney, Supervisor Shelley requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Bierman, moved to excuse Supervisor Shelley from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

The roll was then called on the pending legislation and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Teng - 8.

Excused: Supervisor Shelley - 1.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The President resumed the Chair.

[Airport Lease Modification, FAA]
Ordinance approving, retroactively, lease number DTFA08-95-L-14707, CAT III ILS Localizer Runway 28R between the United States of America, Federal Aviation Administration (FAA) and the City and County, acting by and through its Airports Commission. (Airports Commission)
File 27-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Land Lease, SFUSD - PTC]

Ordinance authorizing and approving a thirty-five year lease with the San Francisco Unified School District, of certain school district property, located at Marina Middle School; and ratifying previous actions. (Public Transportation Commission)

File 65-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Adopted

[Grant, Alternative Fuel Vehicles]

Resolution authorizing the Director of Purchasing to accept and expend \$290,338 from the Transportation Fund for Clean Air for alternative fuel vehicles; and authorizing the Director of Purchasing to execute an agreement with the Bay Area Air Quality Management District whereby the City would indemnify the district from claims resulting from the City's performance of said agreement. (Supervisors Leal, Teng)

File 133-94-1.1, Resolution No. 62-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Small Business Revolving Loan Program]

Resolution authorizing, retroactive to June 15, 1995, the Mayor to apply for, accept, and expend a loan of Section 108 loan guarantee funds in a total amount not to exceed Fifty Million Dollars (\$50,000,000) and an associated grant of Economic Development Initiative Funds in a total amount not to exceed One Million Dollars (\$1,000,000), both from the U.S. Department of Housing and Urban Development for a Small Business Revolving Loan Program authorized under Section 108 of the Housing and Community Development Act of 1974, as amended and secured with Community Development Block Grant Program funds; indirect costs associated with the acceptance of the loan funds will be provided from the Community Development Block Grant Program; rescinding Resolution No. 315-95. (Supervisors Teng, Shelley)

File 68-95-5.1, Resolution No. 67-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[State Grant - Major Urban Resource Libraries]

Resolution authorizing the Public Library to apply for, retroactively, accept and expend funds not to exceed \$64,645 available through the California State Library from Title I of the Library Services and Construction Act for Major Urban Resource Libraries for fiscal year 1995-96; waiving indirect costs. (Supervisors Alioto, Teng)

File 147-96-1, Resolution No. 88-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Federal Grant, Southwest Gateway Improvements]

Resolution authorizing the Department of Public Works to apply for, retroactively, accept and expend grant funding in the amount of \$240,000 from the Federal Highway Administration through the California

Department of Transportation, for providing direct and indirect costs in the landscape enhancement for the southwest gateway; placing \$240,000 on reserve. (Department of Public Works)

File 148-96-1, Resolution No. 90-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Federal Grant, Twin Peaks Loop Trail]
Resolution authorizing, retroactively, the Recreation and Park Department to apply for grant funds of \$750,000, waiving indirect costs, from the Intermodal Surface Transportation Efficiency Act, Transportation Enhancement Funds, for development of the Twin Peaks Loop Trail. (Supervisors Leal, Teng, Shelley)

File 150-95-6, Resolution No. 69-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Medical Services Agreement]
Resolution authorizing the Director of Health to execute an agreement, including indemnification, with PacificCare of California for the provision of medical services to employees of the University of California enrolled in the PacificCare Health Plan effective retroactively to January 1, 1996. (Department of Public Health)

File 172-96-1, Resolution No. 91-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[Federal Grant, Emergency Operations Plan]
Resolution authorizing the Director of the Department of Building Inspection and other designated department officials to execute and file, on behalf of the City and County, Department of Building Inspection, an application to apply for federal financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act for funds to mitigate the impact of hazards from natural disasters such as earthquake, rain and wind storms. (Supervisor Teng)

File 212-96-1, Resolution No. 93-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Landmark Designation, Brown's Opera House]
Ordinance designating the Brown's Opera House (Victoria Theater) as Landmark No. 215, pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Migden, Teng, Leal)

File 90-95-1, Ordinance No.

(City Planning Resolution No. 13979, adopted October 19, 1995).
(Landmarks Preservation Advisory Board Resolution No. 476, adopted May 17, 1995.).

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Landmark Designation, El Capitan Theater/Hotel]
Ordinance designating El Capitan Theater and Hotel as Landmark No. 214 pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Migden, Teng, Leal)

File 90-95-2, Ordinance No.

(City Planning Resolution No. 13988, adopted October 19, 1995.)
(Landmarks Preservation Advisory Board Resolution No. 475, adopted May 17, 1995.).

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Landmark Designation, Alhambra Theater]
Ordinance designating Alhambra Theater as Landmark No. 217 pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Migden, Teng, Leal)

File 90-95-3, Ordinance No.

(City Planning Resolution No. 14005, adopted November 9, 1995.)
(Landmarks Preservation Advisory Board Resolution No. 478, adopted June 7, 1995.).

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Migden, Shelley, Teng - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Pacific Stock Exchange Building]
Ordinance amending City Planning Code Appendix A by adding the 155 Sansome Street portion of the Pacific Stock Exchange Building to the list of Category I Buildings (historical landmark building). (Supervisor Shelley)

File 115-95-13, Ordinance No.

(November 28, 1994 - Approved pursuant to City Planning Resolution No. 10165.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

[1995 San Francisco Mechanical Code]
Ordinance amending Mechanical Code by adopting by reference the 1994 Uniform Mechanical Code as amended by the 1995 California Mechanical Code, retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of February 19, 1996. (Building Inspection Commission)

File 122-95-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

Adopted

[Affordable Housing/3250 17th Street]

Resolution urging the Mayor to negotiate with the federal government the transfer or sale of vacant housing at 3250 - 17th Street to a non-profit housing developer for the purpose of housing people who are homeless. (Supervisors Bierman, Alioto, Teng, Migden, Kennedy, Shelley)

File 13-95-34, Resolution No. 63-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisors Kennedy, Shelley requested to be added as co-sponsors.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Community Intervention for Public Safety]

Resolution urging the Mayor to urge the Housing Authority, the Department of Public Works, and other appropriate agencies to work with the group, Together United Recommitted Forever (TURF) to devise a comprehensive plan that would allow for the contracting out of the streets and grounds maintenance to contractors who are residents within the affected communities. (Supervisors Kennedy, Alioto)

File 206-95-6, Resolution No. 71-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Kaufman - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

August Longo, Disability Awareness Day;

Gary Johnson, disability placard, parking in neighborhoods, supporting Captain Richard Cairns.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. (Supervisors Shelley, Teng)

File 270-95-6.2

(January 8, 1995 - Introduced in Board for consideration on January 16, 1995.)

Adopted by the following vote:

Tuesday, January 16, 1996

Ayes: Supervisors Ammiano, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 7.

Absent: Supervisors Alioto, Bierman, Kaufman - 3.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Chinese New Year Day]

Resolution declaring February 19, 1996 to be "Celebrating Chinese New Year Day" in San Francisco in commemoration of the Year of the Rat. (Supervisors Hsieh, Shelley, Teng, Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden)

File 4-96-1, Resolution No. 73-96

(January 8, 1995 - Introduced in Board for consideration on January 16, 1995.)

Adopted.

[Commend Sylvia Harper]

Resolution commending and congratulating San Francisco Police Captain Sylvia Harper on her appointment as the Commander of Richmond District Police Station. (Supervisors Alioto, Shelley, Kennedy, Teng)

File 6-96-5, Resolution No. 77-96

(January 8, 1995 - Introduced in Board for consideration on January 16, 1995.)

Adopted.

In connection with the above item, Supervisors Kennedy, Teng requested to be added as co-sponsors.

[State Legislation, AB 1982, Same-Sex Marriages]

Resolution opposing Assembly Bill 1982 (Knight) and urging the Mayor to direct the City's Lobbyist to urge the State Legislature to oppose AB 1982 concerning recognition of same-sex marriages. (Supervisors Alioto, Ammiano, Migden, Leal, Bierman, Teng)

File 12-96-3, Resolution No. 82-96

(January 8, 1995 - Introduced in Board for consideration on January 16, 1995.)

Adopted.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

[State Legislation, AB 1001, Education Code]

Resolution requesting that the City Lobbyist and the San Francisco Delegation in the State Legislature support adoption of AB 1001 which would add sexual orientation to the list of protected categories in the California Education Code. (Supervisors Ammiano, Alioto, Leal, Kaufman, Bierman, Migden, Teng)

File 12-96-4, Resolution No. 83-96

(January 8, 1995 - Introduced in Board for consideration on January 16, 1995.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Mission Armory Task Force]

Resolution creating the Mission Armory Task Force for a three month period to study options for the use of the Mission Armory facility. (Supervisors Leal, Ammiano, Bierman)

File 174-96-1, Resolution No. 92-96

(January 8, 1995 - Introduced in Board for consideration on January 16, 1995.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano)

File 30-96-1

(January 8, 1995 - Introduced in Board for consideration on January 16, 1995.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-3, Resolution No. 72-96

(Barbara Kaufman, member, Board of Supervisors, January 12 - 16; Frankie G. Lee, Commissioner, Port of San Francisco, January 19 - 28; Larry Mazzola, Member, Airports Commission, January 11 - 13; Louise H. Renne, City Attorney, Office of City Attorney, January 14 - 21, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.
Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Imperative Resolutions]

Adopted

[Commend Film Arts Foundation]

Resolution recognizing the Film Arts Foundation on the occasion of its observance of its 20th anniversary.

File 004-96-002, Resolution No. 74-96

Supervisors Ammiano, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Proclaim Celebrate Immigrants Day]

Resolution proclaiming January 21, 1996 to be "Celebrate Immigrants Day" in opposition to the Immigration Reform Act of 1995.

File 004-96-003, Resolution No. 75-96

Supervisors Hsieh, Shelley, Teng, Alioto, Ammiano, Bierman, Kennedy, Leal, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Proclaim Dr. Milton Estes Day]

Resolution honoring and thanking Dr. Estes for inspiring the entire ACLU family with his devotion and commitment to the organization, his remarkable grasp of complex civil liberties and his boundless energy and love of justice and declaring January 26, 1996 to be Milton Estes Day in San Francisco.

File 004-96-004, Resolution No. 76-96

Supervisors Migden, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Commend Herbert V. Gee]

Resolution commending taxi driver Herbert V. Gee for his courageous apprehension of a suspected taxi bandit.

File 006-96-007, Resolution No. 78-96

Supervisors Ammiano, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Commend William B. Rumford, Jr.]

Resolution congratulating William B. Rumford, Jr., Ph.D., Chief of Security, on his retirement after 16 years of service with the Golden Gate Bridge Highway and Transportation District.

File 006-96-008, Resolution No. 61-96

Supervisors Kennedy, Shelley, Alioto, Ammiano, Bierman, Hsieh, Leal, Migden, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Commend Robert L. Demmons]

Resolution congratulating Robert L. Demmons on the Mayor's appointment to the position of the Chief of Department of the San Francisco Fire Department and recognizing him for 20 years of exemplary service as a professional firefighter.

File 006-96-009, Resolution No. 79-96

Supervisors Kennedy, Teng, Shelley, Alioto, Ammiano, Bierman, Hsieh, Leal, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Silver Avenue 101 On/Off Ramp Reopening]

Resolution commending the neighbors, merchants and community organizations who helped secure the reopening of the Silver Avenue 101 on and off ramps in the Portola neighborhood on the occasion of the ramps reopening January 18, 1996.

File 006-96-010, Resolution No. 80-96

Supervisors Shelley, Teng, Leal, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

[Commend Fred Lau]

Resolution commending Mayor Brown's appointment of Fred Lau to the position of Police Chief and commending Fred Lau for his twenty-five years of service to the San Francisco community.

File 006-96-011, Resolution No. 81-96

Supervisors Teng, Hsieh, Shelley, Kennedy, Ammiano, Alioto, Bierman, Kaufman, Leal, Migden for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Kaufman - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Tour Bus Restrictions]

Ordinance amending Police Code Section 1183.13 regarding tour bus restrictions on El Camino Del Mar and adding Section 1183.26 regarding tour bus restrictions on 25th Avenue. Supervisor Shelley presented. Referred to Rules Committee.

File 121-96-002.

Referred to Board

[Commend Alice Fong Yu]

Resolution commending Alice Fong Yu and the Alice Fong Yu Alternative School and declaring January 27, 1996 to be Alice Fong Yu Alternative School Day in San Francisco. Supervisors Teng, Ammiano, Bierman, Kennedy, Leal, Hsieh, Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar January 22, 1996.

File 006-96-012.

[Nazi Records]

Resolution urging the Department of State in Hamburg, Germany to cease the destruction of files in the State Archives in Hamburg pertaining to criminal cases during the Nazi period. Supervisors Migden, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 22, 1996.

File 013-96-001.

Referred to Committee

[Traffic Regulations, Geary/Park-Presidio]

Resolution rescinding the "No Left Turn" restriction and establishing a "No Left Turn Except Buses" restriction for eastbound Geary Boulevard at Park-Presidio Boulevard. Supervisor Shelley presented. Referred to Rules Committee.

File 020-96-003.

Referred to Board

[Social Services Program Task Force]

Resolution requesting the Human Rights Commission create a task force to investigate and make recommendations to the Mayor and the Board of Supervisors regarding problems and issues arising from city funded social services programs operated by churches and religious organizations. Supervisors Ammiano, Leal, Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar January 22, 1996.

File 174-96-002.

Referred to Committee

[Disabled Placard Misuse Violation]

Resolution implementing Vehicle Code Section 22511.57 to establish a violation for misuse of a disabled placard when the placard has been reported lost, stolen or issued to person since deceased. Supervisor Shelley presented. Referred to Rules Committee.

File 190-96-001.

[Public Market, Central Waterfront]

Resolution in support of the San Francisco Public Market Collaborative and its plans to establish a permanent public market and education center on San Francisco's Central Waterfront. Supervisor Leal presented. Referred to Housing and Land Use Committee.

File 219-96-001.

[Redevelopment Survey Area, Lower Broadway]

Resolution designating and describing a Redevelopment Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law encompassing the three parcels of land and adjacent public rights of way along Lower Broadway formerly encumbered by the Embarcadero Freeway (Assessor's Block-Lot Numbers 140-8, 141-11, 165-21). Supervisors Teng, Bierman, Shelley presented. Referred to Budget Committee.

File 220-96-001.

Requests for Hearings:

[Management Audit, Tax Collector's Office]

Hearing to consider the status of the recommendations contained in the management audit of the Tax Collector's Office. Supervisor Hsieh presented. Referred to Budget Committee.

File 165-95-004.02.

[Bay Area Rapid Transit District Police]

Hearing to consider the operations and management oversight of the Bay Area Rapid Transit District Police. Supervisor Ammiano presented. Referred to Health/Public Safety/Environment Committee.

File 012-96-006.

[Street Lighting]

Hearing to consider the feasibility of increasing street lighting in San Francisco including the placement, types, costs and financing of lights and environmental documentation. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 191-96-001.

[San Bruno Jail]

Hearing to consider the safety and condition of the county jail in San Bruno as well as the Sheriff's firing range. Supervisor Shelley presented. Referred to Rules Committee.

File 195-96-001.

[Public Toilet, Kiosks, JC Decaux Company]

Hearing to consider the JC Decaux Company's kiosks as it relates to disability access issues and compliance with the contract between the City and JC Decaux. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee.

File 200-96-001.

[Youth Commission]

Hearing to consider the distribution of Youth Commission candidate applications and the time line for appointments in light of the Mayor's diversity appointments. Supervisor Alioto presented. Referred to Rules Committee with request it be considered at the February 6, 1996 meeting.

File 215-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-002. [Airport Lease Modification, American Airlines] Ordinance approving Modification No. 7 of Lease and Use Agreement between American Airlines, Inc. and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 097-96-001. [Farmers' Market Hours of Operation] Ordinance amending Section 9A.12 of the San Francisco Administrative Code to allow the Farmers' Market to operate on Sundays. (Department of Agriculture and Weights and Measures) Referred to Government Efficiency/Labor Committee.

File 101-95-041. [Appropriation, Recreation and Park] Ordinance appropriating \$250,000, Recreation and Park Department, from the General Fund Reserve to a capital improvement project, to match funds for the design of the reconstruction of Conservatory of Flowers for fiscal year 1995-96. RO #95124. (Controller) Referred to Budget Committee.

File 101-95-042. [Appropriation, Recreation and Park] Ordinance appropriating \$542,800, Recreation and Park Department, from the General Fund Reserve for other current expenses, materials and supplies and overtime for storm damage repair for fiscal year 1995-96. RO #95123. (Controller) Referred to Budget Committee.

File 101-95-043. [Appropriation, Mayor's Office] Ordinance appropriating \$142,937, Mayor's Office, from the General Fund Reserve for salaries and fringe benefits for fiscal year 1995-96; placing \$142,937 on reserve. (Estimate of vested vacation and fringes) RO #95122. (Controller) Referred to Budget Committee.

File 106-95-002.01. [Compensation, Unrepresented Employees, Amendment] Ordinance amending Ordinance

No. 136-95 to correct a clerical error to the provisions setting the City contribution to Health Insurance for unrepresented employees for fiscal year 1995-96. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 038-96-002. [Gift Acceptance, SF Public Library] Resolution authorizing the Library Commission to accept a gift of a van to Project Read from LSCA Title I funds administered by the California Library Service Board, California Library Literacy Service matching funds, and private donations. (Public Library) Referred to Budget Committee.

File 048-96-004. [Settlement of Claim, Universal Underwriters Insurance Company] Resolution approving the settlement of the unlitigated claim of Universal Underwriters Insurance Company by payment of \$6,581.69. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-005. [Settlement of Claim, Jia Jing Liu] Resolution approving the settlement of the unlitigated claim of Jia Jing Liu by payment of \$48,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 078-96-001. [Health Service System Contributions] Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1996-97. (Health Service System) Referred to Government Efficiency/Labor Committee.

File 187-96-001. [Trial Court Funding, 1996-97] Resolution electing to become subject to the provisions of the State Trial Court Funding program for the period of July 1, 1996 through June 30, 1997. (Controller) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to His Honor, the Mayor, transmitting documents concerning the redevelopment project at 1708 Laguna Street and requesting an investigation of alleged building code violations and conflicts between the developer, prime contractor, subcontractor and sub-subcontractors regarding non-payment and offer to pay workers non-prevailing wage for work already performed, which is a violation of the affirmative action program of the City's minority business enterprise program. File 161-96-1.

By Supervisor Kennedy, that letter be sent to Director, Building Inspection Department transmitting documents concerning the redevelopment project at 1708 Laguna Street and requesting that an inspector be sent to investigate and a report provided to the Board on whether there are violations of the San Francisco Building Code at this site. File 161-96-1.

By Supervisor Kennedy, that letter be sent to City Attorney transmitting documents concerning the redevelopment project at 1708 Laguna Street and requesting information and guidance regarding issues of non-payment and not paying prevailing wage for work already performed. File 161-96-1.

By Supervisor Kennedy, that letter be sent to the Honorable Redevelopment Commission transmitting documents concerning the redevelopment project at 1708 Laguna Street and requesting the Commission hold hearings to consider whether there are violations of the affirmative action program of the minority business enterprise program regarding non-payment and offer to pay workers non-prevailing wage for work already performed in order to bring a resolution to the conflict. File 161-96-1.

By Supervisor Bierman, that letters be sent to JC Decaux Company and Director of Public Works requesting their attendance at a meeting called to consider the JC Decaux Company's kiosks as it relates to disability access issues and compliance with the contract between the City and JC Decaux, with particular attention to accessibility of the kiosks while in a wheelchair, ratio of toilets to kiosks and rotating kiosks. File 200-96-1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mrs. Brugmann (By the entire Board)
Russ Cone (By the entire Board)
Robert Sams (Supervisor Kennedy)
Gabriel Wildwood Trupin (Supervisor Bierman)
Ina Jean Ravarra (Supervisor Leal)
Ma'ave Lealaimatafao (Supervisor Ammiano)

Tuesday, January 16, 1996

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 12, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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1/22/96
Monday, January 22, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91

Number 4

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 22, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Shelley - 6.

Noted absent at first roll call:

Supervisors Alioto, Kennedy, Migden, Teng - 4.

Quorum present.

Supervisor Alioto was noted present at 2:08 p.m.

Supervisor Kennedy was noted present at 2:08 p.m.

Supervisor Migden was noted present at 2:08 p.m.

Supervisor Teng was noted present at 2:14 p.m.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendations of Budget Committee

Consideration Continued

[Appropriation, Adult Probation Department]

Ordinance appropriating \$609,913, Adult Probation Department, of federal recurring grant revenue to salaries, fringe benefits, indirect costs, travel, training, non-personal services, materials and supplies, equipment and services of other departments for the creation of three (3) positions to implement the San Francisco Criminal Justice Treatment Network for Women for fiscal year 1995-96; providing for ratification of action previously taken; placing \$18,654 on reserve. (Controller)

File 101-95-37, Ordinance No.

(Fiscal Impact.)

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to continue consideration to January 29, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisor Teng - 1.

[Salary Ordinance Amendment, Adult Probation Department]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), reflecting the creation of three (3) positions, 8434G Supv. Adult Probation Officer, 8442G Senior Probation Officer, 1424G Clerk Typist in the Adult Probation Department; companion measure to File 101-95-37. (Department of Human Resources)

File 102-95-9, Ordinance No.

(Fiscal Impact.)

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to continue consideration to January 29, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisor Teng - 1.

Request Granted

Supervisor Kennedy requested that the Clerk send letter to Chief Adult Probation Officer requesting her attendance at the Board of Supervisors meeting to answer questions the Supervisors have on the above items which would create three positions to implement the Criminal Justice Treatment Networks for Women.

No objection and Clerk directed to comply.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Supervisor Shelley requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

(Supervisor Shelley Excused from Voting.)

[Settlement, Modesto/Turlock Irrigation Districts]
Ordinance authorizing settlement of regulatory proceeding before the Federal Energy Regulatory Commission involving increased flows and fishery resource protection costs for the Lower Tuolumne River with costs not to exceed \$2,420,000 and payment to the Modesto and Turlock Irrigation Districts of \$3.5 million per year, with an escalation rate effective year six. (Supervisors Shelley, Bierman)

File 46-96-2, Ordinance No. 35-96 .

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Excused: Supervisor Shelley - 1. (See supra.)

Absent: Supervisor Teng - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Fire Department]
Ordinance appropriating \$1,603,432, Fire Department, of 1989 Earthquake Safety Bond interest earnings for capital improvement projects (lead and asbestos abatement and construction support services) at various fire stations for fiscal year 1995-96; placing \$492,397 on reserve and providing for ratification of action previously taken. (Controller)

File 101-95-35, Ordinance No. 41-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Parking and Traffic]
Ordinance appropriating \$266,000, Department of Parking and Traffic, from the General Fund Reserve to a capital improvement project for soil remediation at St. Mary's Square Garage for fiscal year 1995-96; placing a reserve of \$190,000. (Controller)

File 101-95-36, Ordinance No. 42-96

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport Lease Modification No. 002, FAA]
Ordinance approving Modification No. 002 of FAA Lease No. DOT-FA76WE-3702A between the United States of America (FAA) and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-95-21, Ordinance No. 36-96

Finally passed.

[Airport Lease Modification, FAA]
Ordinance approving, retroactively, lease number DTFA08-95-L-14707, CAT III ILS Localizer Runway 28R between the United States of America, Federal Aviation Administration (FAA) and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-1, Ordinance No. 50-96

Finally passed.

[Noemy Rincon v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Noemy Rincon against the City and County by payment of \$85,000. (City Attorney)

File 45-96-1, Ordinance No. 51-96

(Superior Court No. 957-725.)

Finally passed.

[Gerardo Dejelo/Antonia Dejelo v. CCSF]
Ordinance authorizing settlement of litigation of Gerardo Dejelo and Antonia Dejelo against the City and County and Robert Johnston by payment of \$200,000. (City Attorney)

File 45-96-2, Ordinance No. 52-96

(Superior Court No. 951-919.)

Finally passed.

[Emilya Yudson vs. CCSF, et al.]
Ordinance authorizing settlement of litigation of Emilya Yudson against the City and County by payment of \$10,000. (City Attorney)

File 45-96-3, Ordinance No. 53-96

(Superior Court No. 965-454.)

Finally passed.

[Cross Complaint, Lavella v. CCSF]
Ordinance authorizing settlement of litigation of the City's cross-complaint in Michael Lavella, et al. v. City and County, et al., upon the receipt of \$42,500.86. (City Attorney)

File 46-96-1, Ordinance No. 54-96

(Superior Court No. 955-038.)

Finally passed.

[Land Lease, SFUSD - PTC]

Ordinance authorizing and approving a thirty-five year lease with the San Francisco Unified School District, of certain school district property, located at Marina Middle School; and ratifying previous actions. (Public Transportation Commission)

File 65-96-1, Ordinance No. 55-96

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Landmark Designation, Brown's Opera House]

Ordinance designating the Brown's Opera House (Victoria Theater) as Landmark No. 215, pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Migden, Teng, Leal)

File 90-95-1, Ordinance No. 37-96

(City Planning Resolution No. 13979, adopted October 19, 1995).

(Landmarks Preservation Advisory Board Resolution No. 476, adopted May 17, 1995.).

Finally passed.

[Landmark Designation, El Capitan Theater/Hotel]

Ordinance designating El Capitan Theater and Hotel as Landmark No. 214 pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Migden, Teng, Leal)

File 90-95-2, Ordinance No. 38-96

(City Planning Resolution No. 13988, adopted October 19, 1995.)

(Landmarks Preservation Advisory Board Resolution No. 475, adopted May 17, 1995.).

Finally passed.

[Pacific Stock Exchange Building]

Ordinance amending City Planning Code Appendix A by adding the 155 Sansome Street portion of the Pacific Stock Exchange Building to the list of Category I Buildings (historical landmark building). (Supervisor Shelley)

File 115-95-13, Ordinance No. 47-96

(November 28, 1994 - Approved pursuant to City Planning Resolution No. 10165.)

Finally passed.

[1995 San Francisco Mechanical Code]

Ordinance amending Mechanical Code by adopting by reference the 1994 Uniform Mechanical Code as amended by the 1995 California Mechanical Code, retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of February 19, 1996. (Building Inspection Commission)

File 122-95-1, Ordinance No. 49-96

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisor Teng - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Finally Passed

[Landmark Designation, Alhambra Theater]

Ordinance designating Alhambra Theater as Landmark No. 217 pursuant to Article 10 of the City Planning Code. (Supervisors Bierman, Migden, Teng, Leal)

File 90-95-3, Ordinance No. 39-96

(City Planning Resolution No. 14005, adopted November 9, 1995.)

(Landmarks Preservation Advisory Board Resolution No. 478, adopted June 7, 1995.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Convention Facilities Management]

Ordinance appropriating and rescinding \$466,000, Convention Facilities Management Department, of Convention Facilities Funds to a capital improvement project (provide initial funding for the Moscone Expansion Project and final funding for the convention expansion study), for fiscal year 1995-96, placing \$300,000 on reserve, providing for ratification of action previously taken. (Controller)

File 101-95-40, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisor Teng - 1.

The President resumed the Chair.

[Mortgage Credit Certificates]

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates in an amount not to exceed \$25,000,000. (Supervisors Shelley, Kaufman, Bierman, Hsieh, Leal)

File 218-96-1, Resolution No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Adopted

[Final Negative Declaration, One Loraine Court]

Resolution adopting Final Negative Declaration, finding and determining that amending Section 209.9 of

the City Planning Code to permit as a conditional use mortuary and Columbarium uses within Residential Zoning Districts on designated landmark sites will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Bierman, Teng)

File 115-95-17, Resolution No. 102-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Passed for Second Reading

[Columbarium/Mortuary Uses, Residential Districts]
Ordinance amending Planning Code, to permit Columbarium and mortuary uses on landmark sites in Residential Zoning Districts which are within Height and Bulk Districts of 40 feet or less and subject to authorization of a conditional use. (Supervisors Bierman, Teng)

File 115-95-17.1, Ordinance No.

(Adds a new Section 209.9(j) to Section 209.9.)

(City Planning Resolution No. 14000, adopted November 9, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

[Landmark Designation, Odd Fellows Columbarium]
Ordinance designating the Odd Fellows Columbarium as Landmark No. 209 pursuant to Article 10 of the City Planning Code; companion measure to Files 115-95-17 and 115-95-17.1. (Supervisors Bierman, Teng)

File 90-95-5, Ordinance No.

(City Planning Resolution No. 13999, adopted November 9, 1995)

(City Planning Resolution No. 14003, adopted November 9, 1995)

(Landmarks Board Resolution No. 465, adopted November 2, 1995.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Passed for Second Reading

[Lead Poisoning Prevention Committee]
Ordinance amending Health Code, to reduce the membership of the Lead Poisoning Prevention Citizens Advisory Committee from 29 members to 25 members. (Supervisor Shelley)

File 118-96-1, Ordinance No.

(Amends Section 1607.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

The President resumed the Chair.

Adopted

[Appointment, Delinquency Prevention Commission]

Resolution appointing member to the Delinquency Prevention Commission, for a new four-year term ending June 30, 1999. (Rules Committee)

File 92-95-47, Resolution No. 101-96

(Cynthia M. Seymour, Seat No. 21817, vice Thomatra Scott, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

Recess

The Board, at the hour of 2:55 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:00 p.m., reconvened.

Quorum present.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing appealing decision of City Planning Commission by its Motion No. 14022, dated November 30, 1995, approving Conditional Use Application No. 95.255C, for a Planned Unit Development to allow demolition of a fire-damaged, two-story commercial structure and accessory parking lot, construction of 30 low income rental dwelling units and 30 off-street parking spaces, and authorizing exceptions from Planning Code requirements for rear yard depth, front setback, and moderation of building front, and authorizing conditional use approval for a building height of 46 feet in an RM-1 (Lot 1A-Mixed Residential, Low Density) and RM-2 (Lot 1-Residential, Mixed, Moderate Density) District with a 50-X height and bulk designation on property located at 1010 South Van Ness Avenue; Lots 1 and 1A in Assessor's Block 3615.

File 37-95-9

(Appeal filed December 27, 1995.)

(Exempt from environmental review under the California Environmental Quality Act ("CEQA")).

(The appellant and applicant jointly requested a continuance to February 20, 1996.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to February 20, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Migden - 2.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of City Planning Commission by its Motion No. 14022, approving Conditional Use Application No. 95.255C, on property located at 1010 South Van Ness Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-9.1

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to February 20, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Migden - 2.

[Zoning Appeal]

Motion disapproving decision of City Planning Commission by its Motion No. 14022, approving Conditional Use Application No. 95.255C, on property located at 1010 South Van Ness Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-9.2

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to February 20, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Migden - 2.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 95.255C, on property located at 1010 South Van Ness Avenue, for action by the Board at its next meeting.

File 37-95-9.3

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to February 20, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng - 8.

Absent: Supervisors Alioto, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Desiree Miles, school issues;
Wendy Loren, police harassment;
Leboriae P. Smoore, police brutality;
Caroline, crime specialist.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Alice Fong Yu]

Resolution commending Alice Fong Yu and the Alice Fong Yu Alternative School and declaring January 27, 1996 to be Alice Fong Yu Alternative School Day in San Francisco. (Supervisors Teng, Ammiano, Bierman, Kennedy, Leal, Hsieh, Shelley, Alioto, Kaufman)

File 6-96-12, Resolution No. 107-96

(January 16, 1996 - Introduced in Board for consideration on January 22, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Nazi Records]

Resolution urging the Department of State in Hamburg, Germany to cease the destruction of files in the

State Archives in Hamburg pertaining to criminal cases during the Nazi period. (Supervisors Migden, Bierman, Kaufman)

File 13-96-1, Resolution No. 115-96

(January 16, 1996 - Introduced in Board for consideration on January 22, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Social Services Program Task Force]

Resolution requesting the Human Rights Commission create a task force to investigate and make recommendations to the Mayor and the Board of Supervisors regarding problems and issues arising from city funded social services programs operated by churches and religious organizations. (Supervisors Ammiano, Alioto, Leal, Migden, Bierman)

File 174-96-002, Resolution No. 123-96

(January 16, 1996 - Introduced in Board for consideration on January 22, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Final Map, 265 Union Street]

Motion approving final map of 265 Union Street, a Condominium Project, being a resubdivision of Lot 24 in Assessor's Block 113, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-1

(January 16, 1996 - Introduced in Board for consideration on January 22, 1996.)

Adopted.

[Final Map, 445 Bush Street]

Motion approving final map of Pacific States Building, 445 Bush Street, a Condominium Project, being a resubdivision of Lot 25 in Assessor's Block 287, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-2

(January 16, 1996 - Introduced in Board for consideration on January 22, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-4, Resolution No. 94-96

(Tom Hsieh, member, Board of Supervisors, January 29; Willie B. Kennedy, member, Board of Supervisors, January 26 - 28; Michael Hennessey, Sheriff, Office of the Sheriff, January 22 - 23; Calvin Louie, Commissioner, Human Rights Commission, January 13 - 18, 1996.)
Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

[Imperative Resolution]

Adopted

[Commend Rudy Galindo]

Resolution commending Rudy Galindo, 1996 National Men's Figure Skating Champion - a Northern California native who is the first Latino and first openly Gay figure skating champion in history.

File 006-96-013, Resolution No. 95-96

Supervisors Leal, Migden, Ammiano, Kaufman, Bierman, Hsieh, Teng, Alioto, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Vehicle Alarms]

Substitute ordinance amending Police Code Section 3703 to decrease the length of time an audible vehicle alarm system may sound. Supervisor Shelley presented. Referred to Rules Committee.

File 121-94-010.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$1,600,000, Chief Administrative Officer, of 911 Project Funds for the purchase of mobile computing terminals (provide local match for Cops More grant). Supervisor Shelley

presented. Referred to Budget Committee.

File 101-95-044.

[Newspaper Theft]

Ordinance amending Police Code by adding Section 630 to prohibit the unauthorized removal of newspapers from newsracks, storefronts and residential properties. Supervisor Shelley presented. Referred to Rules Committee.

File 121-96-003.

Referred to Board

[Commend 1996 Academic Decathlon]

Resolution congratulating and commending the students, teachers and staff of the thirteen San Francisco high schools participating in the 1996 Academic Decathlon. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 006-96-014.

[Commend World Journal Newspaper]

Resolution commending the World Journal Newspaper on its Twentieth Anniversary and declaring February 12, 1996 to be "World Journal Day" in San Francisco. Supervisors Hsieh, Teng, Migden, Leal, Kaufman, Bierman, Alioto, Ammiano, Kennedy, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 006-96-015.

[Commend Michelle Kwan]

Resolution commending Michelle Kwan for her achievements as the National Figure Skating Championships Women's Champion. Supervisors Teng, Hsieh, Shelley, Leal, Kaufman, Bierman, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 006-96-016.

[State AIDS Drug Program]

Resolution urging the Governor and the California State Legislature to support and approve a \$7 million augmentation requested by the State Department of Health Services for the State AIDS Drug Assistance Program to cover funding shortfalls for the current contract period and to allow for siquanivir and epivir (3TC) to be added to the formulary for the current contract period and to identify and establish a permanent funding source for the State AIDS Drug Assistance Program to prevent continued budgetary deficits and to cover the costs necessary to purchase Food and Drug Administration approved drugs for inclusion to the State AIDS Drug Program formulary; and declaring that it is the policy of the City and County of San Francisco that the availability of drug subsidies to those in medical need, living with life threatening illness, should be based on medical necessity rather than budgetary concerns. Supervisors Alioto, Leal, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 012-96-005.01.

[Public Benefits to Legal Immigrants]

Resolution opposing proposed federal legislation precluding legal immigrants from receiving public benefits. Supervisors Leal, Teng, Hsieh, Bierman, Ammiano, Kaufman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 013-96-002.

Referred to Committee

[Stop Intersection, 46th Avenue/Vicente Street]

Resolution designating 46th Avenue and Vicente Street as an all-way "Stop" intersection. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 018-96-002.

[Stop Intersection, 46th Avenue/Ulloa Street]

Resolution designating 46th Avenue and Ulloa Street as an all-way Stop intersection. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 018-96-003.

[Health Service System]

Resolution authorizing the Director of Health Services to write to Kaiser Permanente and all other such health plan providers informing them that as an employee/retiree health plan provider they are expected to make available the most current and effective preventative care treatment for HIV disease/AIDS and all life-threatening illnesses to everyone enrolled in San Francisco's employee/retiree health plans. Supervisors Ammiano, Alioto, Migden presented. Referred to Government Efficiency/Labor Committee.

File 078-96-002.

Referred to Board

[Red Light Camera Funding]

Resolution urging the Mayor and the Parking and Traffic Commission to approve a request for supplemental budget appropriation for revenue neutral funding for the administration of a one year pilot project to test photographic enforcement of red light violations. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 190-96-002.

Motions:

Referred to Board

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 270-95-006.03.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 29, 1996.

File 030-96-001.01.

Referred to Committee

[Management Audits, Budget Analyst Contract]

Draft motion directing the Clerk of the Board to amend the Budget Analyst Agreement for Professional Services to include completion of management audits of all City and County departments every eight years on an on-going basis and to submit a supplemental appropriation request in the amount of \$275,000 to fund the expansion for six months in fiscal year 1995-96 and to increase the Budget Analyst's annual budget by the amount of \$550,000 in future fiscal years in accordance with Section 4 of the agreement. Supervisors Kaufman, Teng presented. Referred to Rules Committee.

File 098-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 097-96-003. [Employee Pay Warrants] Ordinance amending Administrative Code to add Section 18.7.1 relating to the designation of person to receive warrants or checks on death of employee. (Controller) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-96-001. [Prop J Contract, Janitorial Services] Resolution concurring with the Controller's certification that janitorial services for the Port of San Francisco can be practically performed by a private contractor at lower cost than by City and County employees. (Port of San Francisco) Referred to Government Efficiency/Labor Committee.

File 028-96-002. [Emergency Repair, Agricultural Building Skylight] Resolution approving a declaration of emergency for replacement of the deteriorated skylight of the Agricultural Building, Embarcadero and Mission Street, under the control of the Port of San Francisco. (Port Commission) Referred to Budget Committee.

File 068-96-001. [Disaster Relief Funds] Resolution authorizing the Mayor and other designated City and County officials to execute and file, on behalf of the City and County of San Francisco, an application for Federal and/or State Financial Assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the December 1995 storms. (Controller) Referred to Government Efficiency/Labor Committee.

File 143-95-007. [Federal Grant, "COPS MORE" Program] Substitute resolution authorizing the Chief of Police of the City and County of San Francisco to accept and expend funds in the amount of Two Million Seven Hundred Thirteen Thousand Eight Hundred One Dollars (\$2,713,801.00) for a project known as the "Equipment and Technology Component" of the "COPS MORE Program" and agreeing to provide a cash match in the amount of One Million Six Hundred Four Thousand Seven Hundred Eighty-Nine (\$1,604,789.00) Dollars. (Police Department) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Director, Bayview Hunter's Point Foundation requesting report regarding the status of the Critical Incident Response Team and the advisory committee which was created by the Board of Supervisors.

By Supervisor Kennedy, that letter be sent to Director of Health requesting report regarding the progress of the Critical Incident Response Team.

By Supervisor Leal, that letter be sent to the Honorable Public Transportation Commission to urge them to authorize the Director of Public Transportation to apply for funds to improve the safety and livability of the Mission Street corridor by installing pedestrian scale lighting between 13th and Randall Streets.

By Supervisor Alioto, that City Attorney prepare ordinance which would establish an independent citizens review committee to solicit, screen and evaluate bids to conduct a feasibility study on the municipalization of the electrical utilities distribution system in San Francisco.

ADJOURNMENT

There being no further business, the Board at the hour of 3:01 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 12, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, January 29, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 29, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng - 7.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Kennedy - 3.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Alioto was noted present at 2:12 p.m.

Supervisor Kennedy was noted present at 2:09 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Kaufman, moved that the Journal of Proceedings for Monday, December 18, 1995, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh - 2.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Appropriation, Convention Facilities Management]
Ordinance appropriating and rescinding \$466,000, Convention Facilities Management Department, of Convention Facilities Funds to a capital improvement project (provide initial funding for the Moscone Expansion Project and final funding for the convention expansion study), for fiscal year 1995-96, placing \$300,000 on reserve, providing for ratification of action previously taken. (Controller)

File 101-95-40, Ordinance No. 44-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Afsari/Holtgrewe]
Ordinance authorizing settlement of litigation of Julie Whitton-Afsari, Mandijeh Afsari, Kenneth Holtgrewe against the City and County by payment of \$497,500. (City Attorney)

File 45-96-4, Ordinance No.

(Superior Court No. 958-653 [consolidated].)

Passed for second reading.

[CCSF v. Thornton Architects, et al.]

Ordinance authorizing settlement of the litigation in City and County against Thornton Architects, Inc., et al., upon receipt of \$175,000. (City Attorney)

File 46-96-3, Ordinance No.

(Superior Court No. 964-427.)

Passed for second reading.

Adopted

[Settlement of Claim, Hans Raina]

Resolution approving the settlement of the unlitigated claim of Hans Raina by payment of \$10,250. (City Attorney)

File 48-96-2, Resolution No. 118-96

Adopted.

[Settlement of Claim, Jason Skelly]

Resolution approving the settlement of the unlitigated claim of Jason Skelly by payment of \$7,500. (City Attorney)

File 48-96-3, Resolution No. 119-96

Adopted.

[Settlement of Claim, Universal Underwriters Insurance Company] Resolution approving the settlement of the unlitigated claim of Universal Underwriters Insurance Company by payment of \$6,581.69. (City Attorney)

File 48-96-4, Resolution No. 120-96

Adopted.

[Settlement of Claim, Jia Jing Liu]

Resolution approving the settlement of the unlitigated claim of Jia Jing Liu by payment of \$48,000. (City Attorney)

File 48-96-5, Resolution No. 121-96

Adopted.

Recommendations of Housing and Land Use Committee

Finally Passed

[Columbarium/Mortuary Uses, Residential Districts]
Ordinance amending Planning Code, to permit Columbarium and mortuary uses on landmark sites in Residential Zoning Districts which are within Height and Bulk Districts of 40 feet or less and subject to authorization of a conditional use. (Supervisors Bierman, Teng)

File 115-95-17.1, Ordinance No. 48-96

(Adds a new Section 209.9(j) to Section 209.9.)

(City Planning Resolution No. 14000, adopted November 9, 1995.)

Finally passed.

[Landmark Designation, Odd Fellows Columbarium]

Ordinance designating the Odd Fellows Columbarium as Landmark No. 209 pursuant to Article 10 of the City Planning Code; companion measure to File 115-95-17.1. (Supervisors Bierman, Teng)

File 90-95-5, Ordinance No. 40-96

(City Planning Resolution No. 13999, adopted November 9, 1995.)

(City Planning Resolution No. 14003, adopted November 9, 1995.)
(Landmarks Board Resolution No. 465, adopted November 2, 1995.)

Finally passed.

Adopted

[Stop Intersections, Various Locations]

Resolution designating certain intersections as Stop intersections. (Housing and Land Use Committee)

File 18-95-17, Resolution No. 97-96

(Stop Signs - Establish

16th Avenue and Pacheco Street, northwest and southeast corners, stopping 16th Avenue (makes this an all-way Stop).

16th Avenue and Quintara Street, northwest and southeast corners, stopping 16th Avenue (makes this an all-way Stop).

17th Avenue and Santiago Street, northeast and southwest corners, stopping Santiago Street (makes this an all-way Stop).

42nd and Point Lobos Avenues, northeast and southwest corners, stopping Point Lobos Avenue (makes this an all-way Stop).

Campbell Avenue and Rutland Street, northeast and southwest corners, stopping Campbell Avenue (makes this an all-way Stop).

Rutland Street and Tioga Avenue, northeast and southwest corners, stopping Tioga Avenue (makes this an all-way Stop).

Scotia Avenue and Quint Street, all corners, stopping all approaches (makes this uncontrolled T-intersection an all-way Stop).)

Adopted.

[Parking Regulations]

Resolution enacting parking regulations at various locations. (Housing and Land Use Committee)

File 19-95-16, Resolution No. 98-96

(No Parking Anytime - Establish

Lower Terrace, south side, from 76 feet to 112 feet east of Levant Street (36-foot zone).

Parking Meter Area No. 3(1-Hour Time Limit, 7 AM - 6 PM, Monday through Saturday) - Establish
Townsend Street, north side, between 3rd and 4th Streets.

Parking Meter Area No. 3(2-Hour Time Limit, 7 AM - 6 PM, Monday through Saturday) - Establish.
Townsend Street, south side, between 3rd and 4th Streets.

Short-term (30-minute) Parking Meter - Establish.

Townsend Street, north side, from 15 feet to 69 feet west of Ritch Street (54-foot zone in front of #224 Townsend Street).

Unmetered Motorcycle Parking - Establish.

Chestnut Street, south side, from 18 feet to 21.5 feet west of Larkin Street (3.5-foot zone, accommodating 1 motorcycle space).

Green Street, north side, from 39 feet to 42.5 feet east of Larkin Street (3.5-foot zone between driveways for #1288-#1292 and #1280-#1286 Green Street, accommodating 1 motorcycle parking space).

Larkin Street, east side, from 170 feet to 177 feet north of Green Street (7-foot zone between driveways for #2232 and #2240 Larkin Street, accommodating 2 motorcycle spaces).)

Adopted.

[Traffic Regulations, Market Street]

Resolution enacting traffic regulations on Market Street. (Housing and Land Use Committee)

File 20-95-20, Resolution No. 99-96

(Tow-Away, No Stopping, 7 AM - 9 AM and 4 PM to 6 PM, Monday through Saturday, Rescind

Tow-Away, No Stopping 7 AM - 9 AM, Monday through Friday, Establish
Market Street, south side, between Gough and 12th Streets.)

Adopted.

Recommendation of Rules Committee

Finally Passed

[Lead Poisoning Prevention Committee]

Ordinance amending Health Code, to reduce the membership of the Lead Poisoning Prevention Citizens Advisory Committee from 29 members to 25 members. (Supervisor Shelley)

File 118-96-1, Ordinance No. 56-96

(Amends Section 1607.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Alioto, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Appropriation, Adult Probation Department]

Ordinance appropriating \$609,913, Adult Probation Department, of Federal recurring grant revenue to salaries, fringe benefits, indirect costs, travel, training, non-personal services, materials and supplies, equipment and services of other departments for the creation of three (3) positions to implement the San Francisco Criminal Justice Treatment Network for Women for fiscal year 1995-96; providing for ratification of action previously taken; placing \$18,654 on reserve. (Controller)

File 101-95-37, Ordinance No. 43-96

(Fiscal Impact.)

(January 22, 1996 - Consideration continued to January 29, 1996.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Salary Ordinance Amendment, Adult Probation Department]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), reflecting the creation of three (3) positions, 8434G Supv. Adult Probation Officer, 8442G Senior Probation Officer, 1424G Clerk Typist in the Adult Probation Department; companion measure to File 101-95-37. (Department of Human Resources)

File 102-95-9, Ordinance No. 45-96

(Fiscal Impact.)

(January 22, 1996 - Consideration continued to January 29, 1996.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Board of Supervisors]

Ordinance appropriating \$125,000, Board of Supervisors, from the General Fund Reserve for professional services to allow the Budget Analyst to conduct a comprehensive management audit at the Municipal Railway for fiscal year 1995-96 (Implementation of Proposition "J"). (Controller)

File 101-95-38, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Appropriation, Department of Human Resources]

Ordinance appropriating \$300,000, Department of Human Resources, to conduct a classification study for fiscal year 1995-96; placing \$150,000 on reserve. (Controller)

File 101-95-39, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$250,000, Recreation and Park Department, from the General Fund Reserve to a capital improvement project to match funds for the design of the reconstruction of the Conservatory of Flowers for fiscal year 1995-96; placing \$250,000 on reserve. (Supervisor Shelley)

File 101-95-41, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$489,800, Recreation and Park Department, from the General Fund Reserve for other current expenses, materials and supplies and overtime for storm damage repair, for fiscal year 1995-96; placing \$236,000 on reserve and providing for ratification of action previously taken. (Controller)

File 101-95-42, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Adopted

[Trial Court Funding, 1996-1997]

Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period of July 1, 1996 through June 30, 1997. (Controller)

File 187-96-1, Resolution No. 124-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification, American Airlines]

Ordinance approving retroactively, Modification No. 7 of Lease and Use Agreement between American Airlines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Domestic Partnership Ceremonies]

Ordinance amending Administrative Code, authorizing the County Clerk to provide a civil ceremony to solemnize the existence of a domestic partnership; setting effective date. (Supervisors Migden, Kaufman, Leal, Ammiano, Bierman, Alioto, Teng, Shelley)

File 97-95-67, Ordinance No.

(Adds Section 62.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[IRS Pension Limits]

Ordinance amending Administrative Code, regarding Internal Revenue Section 401(a)(17) Limitations which governs certain provisions of public employee retirement plans. (Retirement System)

File 97-95-68, Ordinance No.

(Adds Section 16.29-7.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Farmers' Market Hours of Operation]

Ordinance amending Administrative Code, to allow the Alemany Farmers' Market to operate on Sundays. (Department of Agriculture and Weights and Measures)

File 97-96-1, Ordinance No.

(Amends Section 9A.12)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Compensation, Unrepresented Employees, Amendment]

Ordinance amending Ordinance No. 136-95 to correct a clerical error to the provisions setting the City's contribution to health insurance for unrepresented employees for fiscal year 1995-96. (Department of Human Resources)

File 106-95-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Adopted

[Health Service System Contributions]

Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1996-97. (Health Service System)

File 78-96-1, Resolution No. 122-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Hold Harmless Agreement]

Resolution authorizing hold harmless agreement with Alameda County pertaining to potential actions challenging the validity of land use entitlements requested for the San Francisco Water Department's Bernal Property. (Supervisor Kennedy)

File 188-96-1, Resolution No. 125-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[S.F. General Hospital Parking System]

Resolution approving the transfer of jurisdiction and control over certain parking lots located within San Francisco General Hospital Medical Center to Parking Authority; approving the Memorandum of Understanding between the City and the Parking Authority regarding the creation and management of a parking system for the San Francisco General Hospital Medical Center, with the exception of the parking rates, which will be determined in the future; authorizing the Parking Authority to seek bids for the management of the parking system; approving the form of the bid documents; and appointing City officials to act as agents of the Parking Authority. (Department of Parking and Traffic)

File 199-96-1, Resolution No. 127-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Recommendations of Health, Public Safety & Environment Committee

Passed for Second Reading

[Pawnbroking Moratorium, Mission/Ingleside]

Ordinance amending Police Code, to extend the moratorium on the issuance of permits by the Chief of Police to operate any pawnbroking business in the Mission and Ingleside Districts to January 15, 2001. (Supervisor Hsieh, Leal, Alioto, Shelley, Bierman)

File 121-96-1, Ordinance No.

(Amends Section 2825.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

Adopted as Amended

[Domestic Violence]

Resolution finding that domestic violence is a serious crime and not a civil dispute and that civil compromise is an inappropriate resolution to these cases; declaring that the Board of Supervisors believes that judges of the Municipal Court should not use civil compromise in domestic violence cases; urging that when such compromises are considered, proper notice and hearings are required; urging the District Attorney to continue his efforts to resist civil compromise in domestic violence cases, and urging the State Legislature to approve passage of AB 1994 which amends the California Penal Code to prohibit the use of civil compromise in domestic violence cases. (Supervisors Kaufman, Alioto, Leal, Shelley, Teng)

File 237-95-1, Resolution No. 105-96

(January 8, 1996 - Rereferred to Committee from Board.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole bearing same title.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Housing and Land Use Committee

Consideration Continued

(Supervisor Teng dissenting in Committee.)

[Zoning Map Amendment, Lakeside Subdivision]

Ordinance amending City Planning Code by amending the Zoning Map of the City and County for certain properties in the Lakeside Subdivision, generally bounded by Eucalyptus Drive on the north and Junipero Serra Boulevard and 19th Avenue on the east, south and west, all of Assessor's Blocks 7228, 7229, 7229A, 7230, 7232, 7233, 7234, 7235, 7238, 7238A, 7239, 7239A, 7240, 7240A, 7241, 7242, and 7243, and all of Assessor's Block 7231 except Lot 3, all of Assessor's Block 7236 except Lot 1, all of Assessor's Block 7237 except Lot 9, and all of Assessor's Block 7244 except Lot 17 from a 40-X Height and Bulk District to a 28-X Height and Bulk District. (Department of City Planning)

File 36-95-8, Ordinance No.

(City Planning Resolution No. 14024, adopted December 7, 1995.)
(General Rule Exclusion from Environmental Review.)

Supervisor Teng, seconded by Supervisor Kaufman, moved to continue consideration to February 26, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

The President resumed the Chair.

Finally Passed

[Residential Zoning Amendments]

Ordinance amending Planning Code, to establish new provisions that apply to construction in the RH and RM Zoning Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential districts. (Department of City Planning)

File 115-95-11, Ordinance No. 46-96

(Added new Section 311.)

(City Planning Resolution No. 13960, adopted September 21, 1995.)
(November 13, 1995 - Passed for second reading.)
(December 4, 1995 - Re-Refered to Committee.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading

[Board of Permit Appeals]

Ordinance amending Municipal Code, Part III, to provide that the Board of Permit Appeals shall fix the time and place of hearing not less than ten days nor more than forty-five days after the filing of said appeal and shall act thereon not later than sixty days after such filing or a reasonable time thereafter; except that place of entertainment and cabaret permits shall be set not less than fifteen days and acted upon not later than thirty days after filing, and the Board shall not entertain a motion for rehearing. (Supervisor Bierman)

File 127-95-12, Ordinance No.

(Amends Section 8.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

Adopted

[Temporary Street Closing, Pine Street]

Resolution granting revocable permission to PCL Construction Services, Incorporated to temporarily close and occupy the southerly sidewalk of Pine Street between Franklin and Van Ness Avenue during construction operations at the San Francisco Towers Project, Assessor's Block 666. (Department of Public Works)

File 42-96-1, Resolution No. 117-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Mid-Embarcadero/Terminal Separator Structure]

Resolution endorsing the Department of Parking and Traffic Variant with a Mid-Embarcadero split roadway, as the preferred alternative for replacement of the Mid-Embarcadero/Terminal Separator structure, requesting Department of City Planning to incorporate the variant as the preferred alternative in the Final Environmental Impact Statement/Final Environmental Report, and requesting the Chief Administrative Officer to take the necessary steps to secure project funding at the earliest possible time; urging additional study of traffic and transit issues related to the northeast (Chinatown and North Beach) sector, and urging deferral of the sale of freeway related parcels on Broadway until the final EIS/EIR is certified. (Supervisors Bierman, Teng, Migden)

File 85-95-5, Resolution No. 100-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Migden, Shelley, Teng - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Liquor License, 2648 Judah Street]

Resolution determining that the issuance of an on-sale general public premises liquor license to Eamon Corry for The Harp Inc. at 2648 Judah Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-36, Resolution No. 103-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng - 9.

Absent: Supervisor Hsieh - 1.

[Liquor License, 110 Cyril Magnin]
Resolution opposing the request for issuance of an off-sale beer and wine license to Tarik Hussein for Charlie's Stand at 110 Cyril Magnin, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-95-37, Resolution No. 104-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Leal, Migden, Shelley, Teng - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Hsieh, Kaufman - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Aja Monet, Municipal Railway, public toilets;
Hal Wolmack, youth violence, police brutality;
Al Rose Smith, disability access at City College;
Malik Rahim, Hayes Valley relocation;
Aaron Gaytor, Hayes Valley relocation;
Demitri Tyler, Hayes Valley relocation;
Alfred Abrahamsen, affirmative action, school district;
Doug Kern, inadequate toxic cleanup plan, Golden Gate Bridge;
Constance Kuruppu, youth murders;
Wayne Justmann, Hayes Valley relocation;
Wendy Loren, stalking by police officer;
John Barbey, Library's discard of books.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Alioto requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[State AIDS Drug Program]
Resolution urging the Governor and the California State Legislature to support and approve a \$7 million augmentation requested by the State Department of Health Services for the State AIDS Drug Assistance Program to cover funding shortfalls for the current contract period and to allow for siquinavir and epivir (3TC) to be added to the formulary for the current contract period; ((and)) urging the Governor and the State Legislature to identify and establish a permanent funding source for the State AIDS Drug Assistance Program to prevent continued budgetary deficits and to cover the costs necessary to purchase ((Food and Drug Administration approved drugs for inclusion to the State AIDS Drug Program formulary)) drugs recommended by the ADAP Medical Advisory Committee; and declaring that it is the policy of the City and County of San Francisco that the availability of drug subsidies to those in medical need, living with life threatening illness, should be based on medical necessity rather than budgetary concerns. (Supervisors Alioto, Leal, Ammiano, Bierman, Migden)

File 12-96-5.1, Resolution No. 114-96

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Supervisor Alioto, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "Resolution urging the Governor and the California State Legislature to support and approve a \$7 million augmentation requested by the State Department of Health Services for the State AIDS Drug Assistance Program to cover funding shortfalls for the current contract period and to allow for siquinavir and epivir (3TC) to be added to the formulary for the current contract period; urging the Governor and the State Legislature to identify and establish a permanent funding source for the State

AIDS Drug Assistance Program to prevent continued budgetary deficits and to cover the costs necessary to purchase drugs recommended by the ADAP Medical Advisory Committee; and declaring that it is the policy of the City and County of San Francisco that the availability of drug subsidies to those in medical need, living with life threatening illness, should be based on medical necessity rather than budgetary concerns."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

In connection with the above item, Supervisors Bierman, Migden requested to be added as co-sponsors.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend 1996 Academic Decathlon]

Resolution congratulating and commending the students, teachers and staff of the thirteen San Francisco high schools participating in the 1996 Academic Decathlon. (Supervisors Ammiano, Alioto, Bierman, Shelley)

File 6-96-14, Resolution No. 108-96

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Shelley requested to be added as co-sponsors.

[Commend World Journal Newspaper]

Resolution commending the World Journal Newspaper on its Twentieth Anniversary and declaring February 12, 1996 to be "World Journal Day" in San Francisco. (Supervisors Hsieh, Teng, Migden, Leal, Kaufman, Bierman, Alioto, Ammiano, Kennedy, Shelley)

File 6-96-15, Resolution No. 109-96

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

[Commend Michelle Kwan]

Resolution commending Michelle Kwan for her achievements as the National Figure Skating Championships Women's Champion. (Supervisors Teng, Hsieh, Shelley, Leal, Kaufman, Bierman, Ammiano, Alioto)

File 6-96-16, Resolution No. 110-96

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

[Public Benefits to Legal Immigrants]

Resolution opposing proposed federal legislation precluding legal immigrants from receiving public benefits. (Supervisors Leal, Teng, Hsieh, Bierman, Ammiano, Kaufman, Shelley, Alioto, Bierman)

File 13-96-2, Resolution No. 116-96

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Red Light Camera Funding]

Resolution urging the Mayor and the Parking and Traffic Commission to approve a request for supplemental budget appropriation for revenue neutral funding for the administration of a one year pilot project to test photographic enforcement of red light violations. (Supervisors Leal, Alioto, Bierman)

File 190-96-2, Resolution No. 126-96

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. (Supervisors Shelley, Teng)

File 270-95-6.3

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano)

File 30-96-1.1

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

[Final Map, 1708 Laguna Street]

Motion approving final map of 1708 Laguna Street, a Condominium Project, being a resubdivision of Lot 9 in Assessor's Block 674, and adopting findings pursuant to Redevelopment Plan for Western Addition approved Redevelopment Project Area A-2. (Department of Public Works)

File 58-96-3

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

[Final Map, 2550 Gough Street]

Motion approving final map of 2550 Gough Street, a Condominium Project, being a resubdivision of Lot 17 in Assessor's Block 552, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-4

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

[Final Map, 1688 Sacramento Street]

Motion approving final map of 1688 Sacramento Street, a Condominium Project, being a resubdivision of Lot 13 in Assessor's Block 621, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-5

(January 22, 1996 - Introduced in Board for consideration on January 29, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-5, Resolution No. 106-96

(Willie L. Brown, Jr., Mayor, City and County of San Francisco, January 24 - 26; Barbara Kaufman, member, Board of Supervisors, February 3 - 10; Francis J. O'Neill, Commissioner, Port of San Francisco, February 3 - 10, 1996.)

Adopted.

[San Francisco Building and Construction Trades Council]

Resolution recognizing the contributions to the City and County by the San Francisco Building and Trades Council. (Supervisors Shelley, Kaufman, Bierman)

File 6-96-17, Resolution No. 111-96

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman requested to be added as co-sponsors.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board find by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Alioto, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Alioto, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

[Imperative Resolutions]

Adopted

[Commend Star Academy]

Resolution commending Star Academy on the occasion of its 1996 awards gala and declaring February 10, 1996, as Star Academy Day in San Francisco.

File 006-96-018, Resolution No. 112-96

Supervisors Kaufman, Teng presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

[Commend Mission Hiring Hall]

Resolution commemorating the Twenty-fifth Anniversary of the Mission Hiring Hall.

File 006-96-019, Resolution No. 113-96

Supervisor Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Emergency Communications Center, Turk Street]

Substitute ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, for the construction and operation of a new Combined Emergency Communications Center; adopting findings that such project is in conformity with the Master Plan and consistent with the eight priority policies of City Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act. Supervisors Shelley, Hsieh presented. Referred to Joint Rules/Budget Committee with request it be considered on February 7, 1996.

File 216-95-001.01.

[Utility Franchises]

Ordinance amending Administrative Code Section 11.08 to provide that the report regarding the feasibility of municipalizing the electricity utilities distribution system in San Francisco shall be submitted by the Public Utilities Commission to the Board of Supervisors by October 30, 1996, rather than June 30, 1996. Supervisor Alioto presented. Referred to Select Committee on Municipal Public Power.

File 097-96-006.

[Airport Taxi Fare Flat Rate Repeal]

Draft ordinance amending Police Code Section 1135 to delete the flat rate fare for groups of passengers traveling to or from the San Francisco International Airport. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the rescheduled meeting on February 22, 1996.

File 121-96-004.

Referred to Board

[Commend Henry Der]

Resolution commending Henry Der and declaring March 15, 1996 Henry Der Day in San Francisco. Supervisors Teng, Hsieh, Shelley, Ammiano, Bierman, Leal, Kaufman, Alioto, Migden, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar February 5, 1996.

File 006-96-020.

[Commend "Motor Voter" Registration]

Resolution commending the Coalition for an African American Community Agenda and the San Francisco Lawyers' Committee for Civil Rights for their efforts in expanding access to the political process and urging the Mayor to make voter registration forms available at all San Francisco departmental agencies. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar February 5, 1996.

File 006-96-021.

[State Legislation, AB 9 and AB 154]

Resolution declaring that the City and County of San Francisco opposes Assembly Bill 9 and Assembly Bill 154 concerning elimination of general assistance and health care except emergency health care to the poor and urging the Mayor to direct the City's Lobbyist to work for the defeat of both AB 9 and AB 154. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 5, 1996.

File 012-96-007.

[State Legislation, AB/SB XXX1, SB XXX2]

Resolution opposing Assembly Bill XXX1 (Frusetta), Senate Bill XXX1 (Mello), and Senate Bill XXX2 (Monteith) concerning the continued use of the pesticide Methyl Bromide in the State of California. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar February 5, 1996.

File 012-96-008.

[Mandatory Discharge-HIV Positive Military Staff]

Resolution opposing the amendment to Title 10, Section 1177 of the United States Code that requires the mandatory discharge or retirement of HIV-positive military personnel; urging the President of the United States to urge the Justice Department to file a lawsuit challenging the constitutionality of a mandatory discharge of HIV-positive military personnel; and urging the United States Congress to repeal the amendment to Title 10, Section 1177 of the United States Code. Supervisors Alioto, Ammiano, Migden, Leal, Bierman, Kaufman, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar February 5, 1996.

File 013-96-003.

[Tort Liability/Attorney's Fees, 3/26/96 Ballot]

Resolution opposing California State Propositions 200, 201, and 202 that have called for limitations on attorneys' and citizens' liberties by restricting tort liability, shareholder actions and contingent fees. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar February 5, 1996.

File 060-96-001.

[Renaming Parkside Branch Library]

Resolution urging the Mayor to urge the Library Commission to change the name of the Parkside Branch of the San Francisco Public Library to honor Joseph Balanesi. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar February 5, 1996.

File 225-96-001.

Requests for Hearings:

[Mid-Embarcadero Open Space Project Report]

Hearing to consider the interim report for Mid-Embarcadero open space project on land use, development and implementation strategies. Supervisor Bierman presented. Referred to Housing and Land Use Committee with request it be considered at the March 7, 1996 meeting.

File 168-96-001.

[Public Toilets, J. C. Decaux]

Hearing to consider the ratio of J. C. Decaux advertising kiosks to fully installed and operational Decaux public toilets. Supervisors Alioto, Kennedy, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 200-96-001.01.

[Education]

Hearing to consider how the Board of Supervisors and other city and county agencies can work with the Board of Education, the Unified School District, the State Superintendent of Education and community-based organizations to further education of San Francisco's children. Supervisor Shelley presented. Referred to Board of Supervisors Committee of the Whole on February 12, 1996, Special Order at 6:00 p.m.

File 211-96-002.

[Richmond District Issues]

Hearing to consider issues of special interest to the Richmond neighborhood including neighborhood planning concerns, Municipal Railway, the Richmond Transport Plan, the Golden Gate Master Plan, community policing, merchant issues and other issues of concern to the Richmond neighborhood. Supervisor Shelley presented. Referred to Board of Supervisors Committee of the Whole on February 12, 1996, Special Order at 6:00 p.m.

File 226-96-001.

[Office of Citizen Complaints Quarterly Reports]

Hearing to consider the implementation of the provisions of November 1995 Proposition G concerning the Office of Citizen Complaints and to review its quarterly report. Supervisor Amiano presented. Referred to Rules Committee.

File 227-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-005. [Flavio Medina, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Flavio and Jovita Medina against the City and County of San Francisco, by payment of \$6,162.42. (Municipal Court No. 117-249). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-006. [Marcia Rayene, v. CCSF] Ordinance authorizing settlement of litigation of Marcia Rayene against the City and County of San Francisco by payment of \$9,850. (Municipal Court No. 112-371). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-007. [Consuelo Bartenfeld v. CCSF, et al.] Ordinance authorizing settlement of litigation of Consuelo Bartenfeld against the City and County of San Francisco by payment of \$14,500. (Superior Court No. 961-353). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-96-004. [CCSF v. Palace Enterprises] Ordinance authorizing settlement of litigation of City and County of San Francisco v. Palace Enterprises et al., for Defendants' payment of \$25,000 penalties to the City and stipulation to a permanent injunction. (Superior Court No. 969-380). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-96-004. [Assessment Appeals Board, Hearing Officers] Ordinance amending Administrative Code by amending Section 28.14, changing the number of hearing officers selected from among the alternate members of the Assessment Appeals Boards. (Also see File 54-94-8). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-96-005. [Public Health Laboratory Services] Ordinance amending Administrative Code by amending Section 19A.20 to authorize the Director of Public Health to contract for laboratory services with non-governmental parties. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 101-95-045. [Appropriation, Fire Department] Ordinance appropriating \$1,600,000, Fire Department, of 1992 Fire Protection Bond interest earnings, for capital improvement project (design and architectural projects for various fire stations), for fiscal year 1995-96. RO #95117. (Controller) Referred to Budget Committee.

File 101-95-046. [Appropriation, Department of City Planning] Ordinance appropriating \$109,745, Department of City Planning, of Planning Fee Revenue, to salaries and mandatory fringe benefits to reduce salary savings for fiscal year 1995-96. RO #95133. (Controller) Referred to Budget Committee.

File 101-95-047. [Appropriation, Chief Administrative Officer] Ordinance appropriating \$50,000, Chief

Administrative Officer, from the General Fund Reserve to professional services to provide funding for negotiations with Viacom/TCI for fiscal year 1995-96; placing \$28,500 on reserve. RO #95134. (Controller) Referred to Budget Committee.

File 101-95-048. [Appropriation, Art Commission] Ordinance appropriating \$201,348, Art Commission, \$200,000 from reserve for Cultural Centers and \$1,348 from General Fund, for various facilities maintenance improvements for fiscal year 1995-96. RO #95138. (Controller) Referred to Budget Committee.

File 101-95-049. [Appropriation, Department of Parking and Traffic] Ordinance appropriating and rescinding \$141,990, Department of Parking and Traffic, from salaries and fringe benefits, for the creation and deletion of nine (9) positions for fiscal year 1995-96; companion measure to File 102-95-10. RO #95140. (Controller) Referred to Budget Committee.

File 101-95-050. [Appropriation, Sheriff's Department] Ordinance appropriating \$150,000, Sheriff's Department, of Sheriff-State Authorized Revenue Fund, to replace vehicles for fiscal year 1995-96. RO #95137. (Controller) Referred to Budget Committee.

File 102-95-010. [Salary Ordinance Amendment, DPT] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Department of Parking and Traffic, reflecting the creation of nine (9) positions (Classifications AB05S Deputy Clerk, DPT (5), AB06S Deputy Clerk I, DPT (1), AB07S Information Clerk, DPT (2), AB08S Assistant Division Chief Clerk, DPT (1), and the deletion of nine (9) positions (Classifications 0320A Deputy Clerk, Municipal Court (5), 0290A Deputy Clerk, Municipal Court (1), 0340A Information Clerk, Municipal Court (2), 0270A Assistant Division Chief Clerk, Municipal Court (1)); companion measure to File No. 101-95-49. (Department of Human Resources). Referred to Budget Committee.

Resolutions Referred to Committee

File 038-96-003. [Gift Acceptance, Police Department] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, a redistribution gift of four generators from the Department of the Army. (Police Commission) Referred to Government Efficiency/Labor Committee.

File 048-96-006. [Settlement of Claim, CA State Automobile Assn.] Resolution approving the settlement of the unlitigated claim of California State Automobile Association by payment of \$9,519.59. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-96-007. [Settlement of Claim, Leda P. Cartwright] Resolution approving the settlement of the unlitigated claim of Leda P. Cartwright by payment of \$40,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 082-96-001. [Noise Easements Acquisition, City of Millbrae] Resolution authorizing the acquisition of 61 noise easements in the City of Millbrae as a part of the Airport Master Plan's Memorandum of Understanding between the Airport and its neighboring communities - \$120,000,000. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 084-96-001. [Acquisition of Real Property] Resolution authorizing the City and County of San Francisco to acquire, on behalf of the Department of Public Works, a temporary construction easement through a portion of the real property identified as Assessor's Parcel No. 4349/15 and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Referred to Budget Committee.

File 133-96-001. [Steel Recycling Institute Receipt] Resolution authorizing the Chief Administrative Officer (CAO) of the City and County of San Francisco to accept and expend \$1,500 from the Steel Recycling Institute. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 172-96-002. [Stadium Naming Rights Agreement] Resolution approving a stadium naming rights agreement with the San Francisco 49ers ("3COM Park") for the period from February 1, 1996 through January 31, 2000. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 214-96-001. [State Grant, Juvenile Probation] Resolution authorizing the San Francisco Juvenile Probation Department to accept and expend grant monies in the amount of \$94,354.00 from the State of California, Department of the Youth Authority, for the administration of Log Cabin and Hidden Valley Ranches; waiving indirect costs. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Kaufman, Teng, Bierman, that City Attorney prepare ordinance which would require all public notices to be written in plain English language.

By Supervisor Kaufman, that City Attorney prepare appropriate legislation to create an oversight committee with responsibility over the J. C. Decaux kiosk contract and the feasibility of the Board

being retroactive and proactive on its review of the contract.

By Supervisor Kennedy, that City Attorney review, prepare and approve as to form draft ordinance amending Police Code Section 1135 to delete the flat rate fare for groups of passengers traveling to or from the San Francisco International Airport. File 121-96-4.

By Supervisor Kennedy, that Controller and Budget Analyst review the Governor's Budget Proposal for 1996-97 and provide analysis to the Board of Supervisors on how and what programs will be affected if the proposal is passed.

By Supervisor Kennedy, that Clerk of the Board investigate the procedure to reactivate Resolution 876-82 which created the San Mateo County-City and County of San Francisco Task Force for the purpose of improving communications between these neighboring jurisdictions.

By Supervisor Shelley, that City Attorney review Resolution 876-82 for the purpose of reconfiguring the task force.

By Supervisor Shelley, that City Attorney prepare appropriate legislation to implement the recommendations of the Commission on the Status of Women's Sexual Harassment Task Force.

By Supervisor Teng, that City Attorney prepare ordinance within four weeks which would require general public notices be printed in ethnic minority languages.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jeff Patterson (By the entire Board)
Barbara Jordan (By the entire Board)
Rand Welles (Supervisor Migden)
Henry Lewis (Supervisor Migden)
Robert Nicket Mein (Supervisor Migden)
Joshua Dillon White (Supervisor Bierman)
Judy Mings (Supervisor Kaufman)

File 2-96-5

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:13 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 20, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, February 5, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 5, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Kaufman - 1.

Quorum present.

Supervisor Kaufman excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Tuesday, January 2 and Monday, January 8, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

COMMUNICATION

The Clerk noted for the record that Mayor Willie L. Brown, Jr. appointed Michael Yaki as a member of the Board of Supervisors and the required bond has been filed and he has taken the oath of office.

The Supervisors welcomed and congratulated Supervisor Michael Yaki.

Committee Assignments

President Shelley announced the following committee assignments:

BUDGET

Supervisors Hsieh, Kaufman, Bierman

ECONOMIC VITALITY AND SOCIAL POLICY

Supervisors Kennedy, Kaufman, Hsieh

GOVERNMENT EFFICIENCY AND LABOR

Supervisors Ammiano, Teng, Yaki

HEALTH, PUBLIC SAFETY AND ENVIRONMENT

Supervisors Alioto, Leal, Yaki

HOUSING AND LAND USE

Supervisors Migden, Bierman, Teng

RULES

Supervisors Shelley, Leal, Ammiano

SELECT COMMITTEE ON BASE CLOSURES

Supervisors Shelley, Bierman, Kennedy

SELECT COMMITTEE ON CHARTER IMPLEMENTATION
Supervisors Kaufman, Leal, Teng

SELECT COMMITTEE ON MUNICIPAL PUBLIC POWER
Supervisors Alioto, Bierman, Yaki

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Board of Supervisors]
Ordinance appropriating \$125,000, Board of Supervisors, from the General Fund Reserve for professional services to allow the Budget Analyst to conduct a comprehensive management audit at the Municipal Railway for fiscal year 1995-96 (Implementation of Proposition "J").
(Controller)

File 101-95-38, Ordinance No. 67-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Human Resources]
Ordinance appropriating \$300,000, Department of Human Resources, to conduct a classification study for fiscal year 1995-96; placing \$150,000 on reserve. (Controller)

File 101-95-39, Ordinance No. 68-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Recreation and Park Department]
Ordinance appropriating \$250,000, Recreation and Park Department, from the General Fund Reserve to a capital improvement project to match funds for the design of the reconstruction of the Conservatory of Flowers for fiscal year 1995-96; placing \$250,000 on reserve. (Supervisor Shelley)

File 101-95-41, Ordinance No. 58-96

Finally passed.

[Appropriation, Recreation and Park Department]
Ordinance appropriating \$489,800, Recreation and Park Department, from the General Fund Reserve for other current expenses, materials and supplies and overtime for storm damage repair, for fiscal year 1995-96; placing \$236,000 on reserve and providing for ratification of action previously taken.
(Controller)

File 101-95-42, Ordinance No. 59-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[IRS Pension Limits]
Ordinance amending Administrative Code, regarding Internal Revenue Section 401(a)(17) Limitations which governs certain provisions of public employee retirement plans. (Retirement System)

File 97-95-68, Ordinance No. 57-96

(Adds Section 16.29-7.5.)

Finally passed.

[Compensation, Unrepresented Employees, Amendment]
Ordinance amending Ordinance No. 136-95 to correct a clerical error to the provisions setting the

City's contribution to health insurance for unrepresented employees for fiscal year 1995-96.
(Department of Human Resources)

File 106-95-2.1, Ordinance No. 60-96

Finally passed.

[Airport Lease Modification, American Airlines]

Ordinance approving retroactively, Modification No. 7 of Lease and Use Agreement between American Airlines, Inc. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-2, Ordinance No. 62-96

Finally passed.

[Settlement of Litigation, Afsari/Holtgrewe]

Ordinance authorizing settlement of litigation of Julie Whitton-Afsari, Mandijeh Afsari, Kenneth Holtgrewe against the City and County by payment of \$497,500. (City Attorney)

File 45-96-4, Ordinance No. 69-96

(Superior Court No. 958-653 [consolidated].)

Finally passed.

[CCSF v. Thornton Architects, et al.]

Ordinance authorizing settlement of the litigation in City and County against Thornton Architects, Inc., et al., upon receipt of \$175,000. (City Attorney)

File 46-96-3, Ordinance No. 63-96

(Superior Court No. 964-427.)

Finally passed.

[Farmers' Market Hours of Operation]

Ordinance amending Administrative Code, to allow the Alemany Farmers' Market to operate on Sundays.
(Department of Agriculture and Weights and Measures)

File 97-96-1, Ordinance No. 64-96

(Amends Section 9A.12.)

Finally passed.

Recommendation of Health, Public Safety & Environment Committee

Finally Passed

[Pawnbroking Moratorium, Mission/Ingleside]

Ordinance amending Police Code, to extend the moratorium on the issuance of permits by the Chief of Police to operate any pawnbroking business in the Mission and Ingleside Districts to January 15, 2001.
(Supervisors Hsieh, Leal, Alioto, Shelley, Bierman)

File 121-96-1, Ordinance No. 65-96

(Amends Section 2825.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Board of Permit Appeals]

Ordinance amending Municipal Code, Part III, to provide that the Board of Permit Appeals shall fix the time and place of hearing not less than ten days nor more than forty-five days after the filing of said appeal and shall act thereon not later than sixty days after such filing or a reasonable time thereafter; except that place of entertainment and cabaret permits shall be set not less than fifteen

days and acted upon not later than thirty days after filing, and the Board shall not entertain a motion for rehearing. (Supervisor Bierman)

File 127-95-12, Ordinance No. 61-96

(Amends Section 8.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Domestic Partnership Ceremonies]

Ordinance amending Administrative Code, authorizing the County Clerk to provide a civil ceremony to solemnize the existence of a domestic partnership; setting effective date. (Supervisors Migden, Kaufman, Leal, Ammiano, Bierman, Alioto, Teng, Shelley, Hsieh, Yaki)

File 97-95-67, Ordinance No. 66-96

(Adds Section 62.9.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisors Hsieh, Yaki requested to be added as co-sponsors.

NEW BUSINESS

Recommendation of Budget Committee

Adopted

[Emergency Repair, Agricultural Building Skylight]

Resolution approving a declaration of emergency for replacement of the deteriorated skylight of the Agriculture Building, Embarcadero and Mission Street, under the control of the Port. (Port Commission)

File 28-96-2, Resolution No. 135-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri, welcome Supervisor Yaki;

Gary Johnson;

Wayne Justmann, single room occupancy hotel safety issues;

Virginia Conway, Municipal Railway's unsafe building;

Wendy Moran, stalking and harassment by police personnel;

Reuben Goodman, intimidation at Hayes Valley Housing Project;

Tony, homeless, traffic lights.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Tort Liability/Attorney's Fees, 3/26/96 Ballot]
Resolution opposing California State Propositions 200, 201, and 202 that have called for limitations on attorney's and citizens liberties by restricting tort liability, shareholder actions and contingent fees. (Supervisors Alioto, Kennedy)

File 60-96-1, Resolution No.

(January 29, 1996 - Introduced in Board for consideration on February 5, 1996.)

At the request of Supervisor Hsieh, referred to Rules Committee.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Henry Der]
Resolution commending Henry Der and declaring March 15, 1996 Henry Der Day in San Francisco. (Supervisors Teng, Hsieh, Shelley, Ammiano, Bierman, Leal, Kaufman, Alioto, Migden, Kennedy, Yaki)

File 6-96-20, Resolution No. 129-96

(January 29, 1996 - Introduced in Board for consideration on February 5, 1996.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Commend "Motor Voter" Registration]
Resolution commending the Coalition for an African American Community Agenda and the San Francisco Lawyers' Committee for Civil Rights for their efforts in expanding access to the political process and urging the Mayor to make voter registration forms available at all San Francisco departmental agencies. (Supervisors Alioto, Kennedy, Leal, Teng, Yaki, Ammiano, Bierman)

File 6-96-21, Resolution No. 130-96

(January 29, 1996 - Introduced in Board for consideration on February 5, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Leal, Teng, Yaki, Ammiano, Bierman requested to be added as co-sponsors.

[State Legislation, AB 9 and AB 154]

Resolution declaring that the City and County of San Francisco opposes Assembly Bill 9 and Assembly Bill 154 concerning elimination of general assistance and health care except emergency health care to the poor and urging the Mayor to direct the City's Lobbyist to work for the defeat of both AB 9 and AB 154. (Supervisors Bierman, Alioto, Kennedy, Leal, Yaki, Ammiano)

File 12-96-7, Resolution No. 132-96

(January 29, 1996 - Introduced in Board for consideration on February 5, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Leal, Yaki, Ammiano requested to be added as co-sponsors.

[State Legislation, AB/SB XXX1, SB XXX2]

Resolution opposing Assembly Bill XXX1 (Frusetta), Senate Bill XXX1 (Mello), and Senate Bill XXX2 (Monteith) concerning the continued use of the pesticide Methyl Bromide in the State of California. (Supervisors Alioto, Leal, Ammiano, Bierman, Migden)

File 12-96-8, Resolution No. 133-96

(January 29, 1996 - Introduced in Board for consideration on February 5, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Ammiano, Bierman, Migden requested to be added as co-sponsors.

[Mandatory Discharge-HIV Positive Military Staff]

Resolution opposing the amendment to Title 10, Section 10, Section 1177 of the United States Code that requires the mandatory discharge or retirement of HIV-positive military personnel; urging the President of the United States to urge the Justice Department to file a lawsuit challenging the constitutionality of a mandatory discharge of HIV-positive military personnel; and urging the United States Congress to repeal the amendment to Title 10, Section 1177 of the United States Code. (Supervisors Alioto, Ammiano, Migden, Leal, Bierman, Kaufman, Kennedy, Shelley, Yaki, Ammiano)

File 13-96-3, Resolution No. 134-96

(January 29, 1996 - Introduced in Board for consideration on February 5, 1996.)

Adopted.

In connection with the above item, Supervisors Shelley, Yaki, Ammiano requested to be added as co-sponsors.

[Renaming Parkside Branch Library]

Resolution urging the Mayor to urge the Library Commission to change the name of the Parkside Branch of the San Francisco Public Library to honor Joseph Balanesi. (Supervisor Shelley)

File 225-96-1, Resolution No. 136-96

(January 29, 1996 - Introduced in Board for consideration on February 5, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-6, Resolution No. 128-96

(Willie B. Kennedy, member, Board of Supervisors, February 14 - 19; Kevin Shelley, President, Board of Supervisors, February 7 - 10; Marie K. Brooks, Vice President, Airports Commission, February 7 - 14, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

[Imperative Resolution]

Adopted

[Commend Booker T. Washington Comm. Serv. Ctr.]

Resolution commending the Booker T. Washington Community Service Center on its 75th Anniversary and congratulating the Center for innovative programs bringing together single parents and shut-in seniors.

File 6-96-23, Resolution No. 131-96

Supervisors Alioto, Kennedy, Ammiano, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kaufman - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Lien]

Resolution authorizing the release of lien on property known as Booker T. Washington Community Service Center at 800 Presidio Avenue, owned by the Booker T. Washington Community Service Center Corporation, and urging the Mayor to urge the Tax Collector to forgive accrued penalties and interest. Supervisors Alioto, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 3-96-1

[Commend George Washington High School]

Resolution commending George Washington High School on its 60th Anniversary and for providing outstanding education and community service to San Francisco. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 006-96-022.

Referred to Committee

[Waste Reduction and Recycling Programs]

Resolution urging that all City and County departments and agencies institute appropriate recycling and waste reduction programs as recommended by previous resolution of the Board. Supervisors Ammiano, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 057-96-001.

Referred to Board

[Ballot Measure, Proposition 197, Mountain Lions]

Resolution opposing Proposition 197, which would allow the Department of Fish and Game to reinstitute "sport" mountain lion hunting in California. Supervisors Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 060-96-002.

[Appointment]

Resolution appointing Supervisor Kevin Shelley to the Bay Area Air Quality Management District Board of Directors. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 092-96-009.

[Appointment]

Resolution appointing Supervisor Sue Bierman to the Bay Conservation and Development Commission. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 092-96-010.

[Appointment]

Resolution appointing Supervisor Tom Ammiano to the Executive Committee of the Association of Bay Area Governments. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 092-96-011.

Referred to Committee

[Grant - Federal Funds]

Resolution authorizing the Human Rights Commission to apply for, accept and expend retroactively a grant of \$151,891 from the United States Department of Housing and Urban Development to provide for a fair housing education and outreach program. Supervisors Shelley, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 230-96-001.

Requests for Hearings

[Select Committee on Charter Implementation]

Hearing to establish purpose and goals of the Select Committee on Oversight and Implementation of the New City Charter, institute ongoing communications with department heads and city managers, review legislation fulfilling charter changes and plan to set the time for additional meetings of the committee. Supervisor Kaufman presented. Referred to Select Committee on Oversight and Implementation of the New City Charter.

File 054-96-001.

[China Basin Ballpark Benefits and Costs]

Hearing to consider the benefits and costs of the proposed China Basin Ballpark. Supervisors Hsieh, Ammiano presented. Referred to Joint Budget/Government Efficiency and Labor Committee.

File 165-96-001.02.

[J. C. Decaux Contract]

Hearing to review the contract between J. C. Decaux and San Francisco with regard to compliance with the requirements of the agreement. Supervisors Kaufman, Alioto presented. Referred to Budget Committee.

File 200-96-001.02.

[Municipal Organ]

Hearing to discuss the feasibility of keeping the municipal organ in San Francisco. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 231-96-001.

Motions:

Referred to Board

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. Supervisors Shelley, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 270-95-006.04.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 030-96-001.02.

[China Basin Ballpark Benefits Report]

Motion directing the Budget Analyst to prepare a report analyzing any and all benefits to the City that might result from the construction of the proposed China Basin Ballpark as being considered by the voters at the March 26, 1996 election; requesting that the report be given highest priority. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar February 12, 1996.

File 165-96-001.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 052-96-001. [Underground District No. 310, Presidio Heights] Ordinance amending Ordinance No. 17B-94, which amended Ordinance No. 220-79, to redefine Underground District No. 310, Presidio Heights District, by requiring that all aerial utility facilities in this district, including those located on private property or in rear easements, be placed underground, and by requiring property owners to

provide and maintain the underground supporting structures on their property. (Department of Public Works) Referred to Housing and Land Use Committee.

File 093-96-001. [MOU, Arbitrator's Award, Local 21] Ordinance adopting and implementing the provisions of an arbitrator's award interpreting the provisions of the Memorandum of Understanding regarding the compensation of 5273 Principal Architect; 5270 Senior Architect, 5268 Architect; 5266 Architectural Associate II, 5265 Architectural Associate I and 5274 Landscape Architect, between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County of San Francisco to be effective retroactive to July 1, 1993 through June 30, 1997. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-96-002. [MOU, Implementing Provisions, Local 6] Ordinance adopting and implementing the provisions of a departmental Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the Department of Transportation to be attached to the current City-wide Memorandum of Understanding as Appendix 6 effective for the period March 1, 1996 through June 30, 1996. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 040-96-003. [Residential Parking Area "W", Potrero Hill] Resolution establishing Residential Permit Parking Area "W" in the Potrero Hill Area, setting the boundaries therefor and the applicable time limitations. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 047-96-001. [Lease, Moscone Center Garage] Resolution accepting Peter Ling as lessee of certain commercial space at Moscone Center Garage by negotiated agreement. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-96-001. [Lease Amendment, 1145 Market Street] Resolution authorizing an amendment of a lease of real property at 1145 Market Street for the Office of Chief Administrative Officer, Solid Waste Management Program. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 146-96-002. [Early Childhood Mental Health Services Program] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse to apply retroactively for a grant of \$1,515,193, from the Miriam and Peter Haas Fund, to create an integrated model of targeted consultation by establishing an intensive consultant training program which will prepare mental health practitioners to provide consultation, staff training, prevention and early intervention services and support for constituents of licensed, center-based early childhood programs serving San Francisco's low-income families; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-003. [Grant, State Department of Rehabilitation] Resolution authorizing the Department of Public Health, Mental Health Services, to accept and expend a grant in the amount of \$128,065, from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally-ill psychiatric clients, waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-004. [State Grant, Immunization Services] Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend retroactively a grant of \$52,122 from the California Department of Health Services, for immunization services by Mission Neighborhood Health Center to immunize high-risk infants and toddlers; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 168-96-002. [Open Space Acquisition, Brooks Park/Extension] Resolution authorizing purchase agreement for acquisition of real property located in Merced Heights described as the Brooks Park extension site, identified as City and County of San Francisco Assessor's Block 7075, Lots 32, 33, 34, and 35 for open space purposes and adopting findings pursuant to City Planning Code Section 101.1. (Also see File 168-93-2.) (Real Estate Department) Referred to Budget Committee.

File 192-96-001. [State Grant, Retrofit of the Central Freeway] Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$51,825 in state funds for the modification and extension of an existing consultant contract in order to evaluate the feasibility of alternatives to the retrofit of the Central Freeway, waiving reimbursement of indirect costs; providing for ratification of action previously taken. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter of inquiry be sent to San Francisco Housing Authority to determine what steps are being taken concerning tenants keeping or permitting dogs in public housing and using other animals as bait to train their pit bull dogs to fight.

By Supervisor Teng, that City Attorney draft appropriate legislation which would enable City College students who meet legal age and residency requirements to vote in Community College Governing Board elections.

By Supervisor Teng, that City Attorney draft appropriate legislation which would enable parents of children attending San Francisco Unified School District schools who meet legal age and residency requirements to vote in San Francisco Unified School District Board elections.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

William F. Murray (Supervisor Shelley)
Thester P. Faison (Supervisor Kennedy)
Edna Watts (Supervisor Kennedy)
Ozzie Rambo (Supervisor Kennedy)
Flora Boswell (Supervisor Kennedy)
Jackie Allen (Supervisor Kennedy)
James Alexander (Supervisor Kennedy)
Jean Williams (Supervisor Migden)
Larry Grenser (Supervisor Migden)
Derrick Ronnel Douglass (Supervisor Bierman)
Marguerite Loretta Johnson (Supervisor Leal)
Blanche Pastorino (Supervisor Leal)

File 2-96-6

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 4, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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1/12/96
Monday, February 12, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 12, 1996 - 5:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date at George Washington High School with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 5:17 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Alioto - 1.

Quorum present.

Supervisor Alioto was noted present at 5:37 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journals of Proceedings for Tuesday, January 16 and Monday, January 22, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

Suspension of the Rules

Supervisor Teng, seconded by Supervisor Kaufman, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors in order to receive the George Washington High School Choir and to present a Certificate of Honor to the school.

No objection and motion carried.

George Washington High School Choir

The George Washington High School Choir sang the Star Spangled Banner.

Presentation Made

President Shelley acknowledged the presence of Principal Donald R. Mitchell and asked the representatives of the school to come to the podium so that he can, on behalf of Board of Supervisors, present the school with a Certificate of Honor commemorating its 60th Anniversary.

The Student Body President thanked the Board of Supervisors for the honor bestowed upon the school.

CONSENT CALENDAR

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Parking and Traffic]

Ordinance appropriating and rescinding \$141,990, Department of Parking and Traffic, from salaries and fringe benefits, for the creation and deletion of nine (9) positions for fiscal year 1995-96. (Controller)

File 101-95-49, Ordinance No.

Passed for second reading.

[Public Employment]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of nine (9) positions; companion measure to File 101-95-49. (Department of Human Resources)

File 102-95-10, Ordinance No.

Passed for second reading.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$150,000, Sheriff's Department, of Sheriff-State Authorized Revenue Fund, to replace eight vehicles for fiscal year 1995-96. (Controller)

File 101-95-50, Ordinance No.

Passed for second reading.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs, Various Locations]

Resolution designating certain intersections as "Stop" intersections, at various locations. (Housing and Land Use Committee)

File 18-96-1, Resolution No.

(Stop Signs - Establish

21st Avenue and Anza Street, northeast and southwest corners, stopping Anza Street (makes this an all-way Stop);

18th and Shotwell Streets, northeast and southwest corners, stopping 18th Street (makes this an all-way Stop);

19th and Shotwell Streets, northeast and southwest corners, stopping 19th Street (makes this an all-way Stop);

21st and Shotwell Streets, northeast and southwest corners, stopping 21st Street (makes this an all-way Stop).)

Adopted.

[Parking Regulations, Huron Avenue]

Resolution rescinding parking regulations on Huron Avenue. (Housing and Land Use Committee)

File 19-96-1, Resolution No. 147-96

(Two Hour Parking Time Limit, 7 AM - 6PM, Except Sunday Rescind

Huron Avenue both sides, between Laura Street and Lawrence Avenue.)

Adopted.

[Traffic Regulations, Market Street]

Resolution enacting Traffic Regulations on Market Street. (Housing and Land Use Committee)

File 20-96-1, Resolution No. 150-96

(Right Lane must turn Right - Establish

Market Street, eastbound, at Duboce Street;

Market Street, eastbound, at Noe Street;

Market Street, westbound, at Church Street.)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting and rescinding traffic regulations at various locations. (Housing and Land Use Committee)

File 20-96-2, Resolution No. 151-96

(Left or Right Turns only 7:30 AM-8:30 AM and 2:00 PM - 3:00 PM Monday through Friday - Establish Fair Oaks Street, southbound, at 24th Street.

No Turn on Red - Establish

Kearny Street, northbound, at The Embarcadero;
North Point Street, eastbound, at The Embarcadero.

No U-Turn - Establish

The Embarcadero, northbound, at Bay Street.

Right Lane must turn right, except MUNI - Rescind

Right Lane must turn right, except Buses - Establish
Van Ness Avenue, southbound, at Bay Street.)

Adopted.

[Residential Parking Area "J", Sunset/Parnassus]

Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-1, Resolution No. 153-96

Adopted.

[Residential Parking Area "U", South of Market]

Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-2, Resolution No. 154-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of City Planning]

Ordinance appropriating \$101,874, Department of City Planning, of Planning Fee revenue, to salaries and mandatory fringe benefits to reduce salary savings for fiscal year 1995-96. (Controller)

File 101-95-46, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$50,000, Chief Administrative Officer, from the General Fund Reserve to professional services to provide funding for negotiations with Viacom/ICI for fiscal year 1995-96; placing \$10,500 on reserve; providing for ratification of action previously taken. (Controller)

File 101-95-47, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Appropriation, Art Commission]

Ordinance appropriating \$201,348, Art Commission, \$200,000 from the Reserve for Cultural Centers and \$1,348 from the General Fund Reserve, for various facilities maintenance improvements for fiscal year 1995-96; placing \$197,488 on reserve. (Supervisors Kaufman, Bierman)

File 101-95-48, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Kaufman, Bierman requested to be added as sponsors.

Adopted

[Easement]

Resolution authorizing the City and County to acquire, on behalf of the Department of Public Works, a temporary construction easement to be used as a staging area during construction of the Islais Creek Project, through a portion of the real property identified as Assessor's Parcel No. 4349/15 and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 84-96-1, Resolution No. 157-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Joint Rules/Budget Committee

Passed for Second Reading

[Appropriation, Fire Department]

Ordinance appropriating \$600,000, Fire Department, of 1992 Fire Protection Bond proceeds for Capital Improvement Project (design of new 911 Dispatch Center) for fiscal year 1995-96; subject of previous budgetary denial. (Budget Committee)

File 101-94-86, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$1,600,000, Chief Administrative Officer, of 911 Project Funds for the purpose of mobile computing terminals (provide local match for Cops More grant); placing \$1,600,000 on reserve. (Supervisors Shelley, Teng, Kennedy, Yaki, Ammiano)

File 101-95-44, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Teng, Kennedy, Yaki, Ammiano requested to be added as co-sponsors.

[911 Emergency Response Fund Interest]

Ordinance amending Administrative Code to require effective January 1, 1996, that interest earned from the fund be retained in the fund to be expended only for the purposes for which the fund was established. (Supervisors Shelley, Teng, Kennedy, Yaki, Ammiano)

File 97-96-2, Ordinance No.

(Amends Section 10.204.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Teng, Kennedy, Yaki, Ammiano requested to be added as co-sponsors.

Adopted

[Federal Grant, "COPS MORE" Program]

Resolution authorizing the Chief of Police to accept and expend funds in the amount of two million seven hundred thirteen thousand eight hundred one dollars (\$2,713,801) for a project known as the "Equipment and Technology Component" of the "Cops More Program" and agreeing to provide a cash match in the amount of one million six hundred four thousand seven hundred eighty-nine (\$1,604,789.00) dollars; waiving indirect costs; placing \$2,591,295 on reserve and providing for ratification of action previously taken. (Supervisors Shelley, Teng, Kennedy, Yaki, Ammiano)

File 143-95-7, Resolution No. 140-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Teng, Kennedy, Yaki, Ammiano requested to be added as co-sponsors.

[911 Lease Revenue Bonds]

Resolution declaring the intent of the City and County to reimburse certain expenditures (construction of a combined dispatch center, equipment and computer-aided dispatch systems for police, fire and emergency medical services) from proceeds of future indebtedness; and authorizing the Chief Administrative Officer to develop a plan of finance; companion measure to File 143-95-7. (Chief Administrative Officer)

File 170-95-14, Resolution No. 141-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Consideration Continued

[Final Negative Declaration, 911 Emergency Dispatch Center]

Resolution adopting Final Negative Declaration, finding and determining that the new 911 Emergency Dispatch Center for the property located at 1003 Turk Street in the Margaret S. Hayward Playground,

Assessor's Block 759, Lot 1, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Shelley, Hsieh, Teng, Kennedy, Yaki, Ammiano)

File 216-95-1, Resolution No.

Supervisor Shelley, seconded by Supervisor Bierman, moved to continue consideration to February 20, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Teng, Kennedy, Yaki, Ammiano requested to be added as co-sponsors.

[Combined Emergency Communications Center, 1003 Turk Street]
Ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, for the construction and operation of a new Combined Emergency Communications Center; adopting findings that such project is in conformity with the Master Plan and consistent with the eight priority policies of City Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act; companion measure to File 216-95-1. (Supervisors Shelley, Hsieh, Teng, Kennedy, Yaki, Ammiano)

File 216-95-1.1, Ordinance No.

(Fiscal Impact.)

Supervisor Shelley, seconded by Supervisor Bierman, moved to continue consideration to February 20, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Teng, Kennedy, Yaki, Ammiano requested to be added as co-sponsors.

The President resumed the Chair.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Health Service System]
Resolution urging the Health Service Board and the Director of Health Services to write to Kaiser Permanente and all other such health plan providers informing them that as an employee/retiree health plan provider they are expected to make available the most current and effective preventative care treatment for HIV disease/AIDS and all life-threatening illnesses to everyone enrolled in San Francisco's employee/retiree health plans. (Supervisors Ammiano, Alioto, Migden, Leal, Bierman)

File 78-96-2, Resolution No. 156-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Vehicle Weight Restriction, Scott Street]
Ordinance amending Traffic Code, adding Scott Street, between California and Bush Streets, to the list of streets upon which a commercial vehicle weight restriction shall apply. (Department of Parking and Traffic)

File 124-96-1, Ordinance No.

(Adds Section 28.5.46.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Adopted

[Parking Regulations, Townsend Street]

Resolution enacting parking regulations at Townsend Street, south side, from 5th Street to 300 feet easterly, by establishing two hour parking time limit, 7 AM - 6 PM, Monday through Friday. (Housing and Land Use Committee)

File 19-95-9.1, Resolution No. 138-96

(Two Hour Parking Time Limit, 7 AM to 6 PM, Monday through Friday, Establish Townsend Street, south side, from 5th Street to 300 feet easterly.)

(September 18, 1995 - Rereferred to Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Adopted as Amended

[Public Works Landmark Trees]

Resolution ((requesting the Board of Supervisors to designate)) designating four tree locations (1801 Bush Street; Dolores Street, center island, Third Street and Yosemite Street; 1701 Franklin Street) for landmark tree status because of their historical associations, aesthetic qualities, or contribution to the City's overall character. (Supervisors Teng, Bierman)

File 200-95-8, Resolution No. 142-96

Supervisor Bierman, seconded by Supervisor Teng, moved to amend title, line two, by deleting "Requesting the Board of Supervisors to designate" and inserting "Designating".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Adopted

[Liquor License Transfer, 2300 16th St., Unit #203]

Resolution determining that the transfer of a liquor license for Safeway Store #1490 from 2300 16th Street to 2300 16th Street, Unit #203, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California and Professions Code. (Housing and Land Use Committee)

File 223-96-1, Resolution No. 162-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Parking Regulations, Various Locations]

Resolution enacting parking regulations at various locations, to accommodate Muni's high level wheelchair accessible streetcar boarding platforms. (Housing and Land Use Committee)

File 19-96-2, Resolution No. 149-96

(Diagonal (45-Degree Angle) Parking - Establish

29th Street, north side, from Church Street to 255 feet westerly (255-foot zone);
Ashton Avenue, east side, from Ocean Avenue to 100 feet southerly (100-foot zone);
Day Street, south side, from 55 feet to 270 feet west of Church Street (215-foot zone);
Faxon Avenue, east side, from Ocean Avenue to 127 feet southerly (127-foot zone).

Diagonal (60)-Degree Angle) Parking - Establish

22nd Avenue, west side, from 30 feet to 490 feet south of Santiago Street (460-foot zone).)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 11.

[Traffic Regulations, Various Locations]

Resolution enacting traffic regulations to accommodate Muni's high level wheelchair accessible streetcar boarding platforms, various locations. (Housing and Land Use Committee)

File 20-96-2.1, Resolution No. 152-96

(Tow-Away No Stopping Anytime - Establish

Church Street, east side, between 29th and Day Streets;
Church Street, east side, between Jersey and 24th Streets;
Church Street, east side, from 29th Street to 60 feet northerly (60-foot zone);
Church Street, west side, between 24th and Elizabeth Streets;
Church Street, west side, between Day and 30th Streets;
Church Street, west side from Elizabeth Street to 90 feet northerly (90-foot zone);
Ocean Avenue, north side, between Dorado Terrace and Faxon Avenue;
Ocean Avenue, south side, between Ashton and Jules Avenues;
Ocean Avenue, south side, from Jules Avenue to 70 feet easterly (70-foot zone);
San Jose Avenue, east side, from Seneca Avenue to 145 feet northerly (145-foot zone);
San Jose Avenue, east side, from Seneca Avenue to 60-feet southerly (60-foot zone);
Taraval Street, north side, between Sunset Boulevard and 36th Avenue;
Taraval Street, north side, from 23rd Avenue to 175 feet westerly (175-foot zone);
Taraval Street, north side, from 23rd Avenue to 45 feet easterly (45-foot zone);
Taraval Street, north side, from 36th Avenue to 140 feet easterly (140-foot zone);
Taraval Street, south side, between Sunset Boulevard and 37th Avenue;
Taraval Street, south side, from 22nd Avenue to 175 feet easterly (175-foot zone);
Taraval Street, south side, from 37th Avenue to 185 feet westerly (185-foot zone);

Transit and Left Turns only - Establish

Taraval Street, eastbound, within streetcar lane between Sunset Boulevard and 38th Avenue;
Taraval Street, westbound, within streetcar lane between Sunset Boulevard and 35th Avenue.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 11.

Recommendations of Rules Committee

Adopted

[Appointments]

Resolution appointing members to the Maternal, Child and Adolescent Health Board, for new three-year terms ending August 31, 1998. (Rules Committee)

File 92-94-27.4, Resolution No. 137-96

(Susan T. Obata, M.D., Seat No. 22803, vice Ellie Journey, term expired;

Harry Z. Coren, M.D., Seat No. 22810, health professional, vice himself, term expired;

Elena Fuentes-Afflick, M.D. MPH, Seat No. 22812, health professional, vice Father James Goode, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 11.

[Appointments]

Resolution appointing members to the Drug Abuse Advisory Board, for new three-year terms ending October 1, 1998. (Rules Committee)

File 92-95-38, Resolution No. 139-96

(Juan Oyarzun, Seat No. 22103, public-at-large, vice himself, term expired;

Mary Louise Adlo-Robinson, Seat No. 22108, public-at-large, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

SPECIAL ORDER 6:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing to consider how the Board of Supervisors and other City and County agencies can work with the Board of Education, the Unified School District, the State Superintendent of Education and community-based organizations to further the education of San Francisco's children. (Supervisor Shelley)

File 211-96-2

The privilege of the floor was granted to the following persons:

Mayor Willie L. Brown, Jr.;
Bill Rojas, Superintendent of Schools;
Steve Phillips, President, Board of Education;
Vincent Chow; Susanne Raynard; Joan Marie Shelley; Gaylon Logan; George Patterson; Michael Bowman;
Pat Knowson; Al Simmons; Lagi Collins; Clayton Mansfield; Leonard Bell; Dave Warren; Becky Ho;
Ramona Albright; Ms. Wintz; Robert; Meg Madden; Joe Mar; Elisa Wong.

SPECIAL ORDER 6:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]

Hearing to consider issues of special interest to the Richmond neighborhood including neighborhood planning concerns, Municipal Railway, the Richmond Transport Plan, the Golden Gate Master Plan, community policing, merchant issues and other issues of concern to the Richmond neighborhood. (Supervisor Shelley)

File 226-96-1

The following persons spoke on the topic of Veterans Hospital, Lucky Store, antenna safety, Geary and Clement merchants, Lincoln Park, tour buses, traffic issues, Municipal Railway service, legalizing in-law apartments and the Coliseum Theater:

James Argo; Jake Murdock; Norman Condy; Elizabeth Canterbury; Todd Cockburn; David Heller; Mr. Gordie; Bruce Oka; male speaker; Lyn Terry; Ron McGill; Wayne Sherman; Erica Staden; Amy Meyer; Barry Eisenberg; Tom Field; Carol Hesbith; female speaker; Edith McMillan; Patricia Vaughney; Ajar; Paula Marsh; Mark Johnson; Tim O'Hara; Alice Barkley; male speaker; Cindy Subusa; Albert Lee; James Arnold; Mario Hernandez; Mr. Calton; Ms. Pitore; Freddy Harn; Jean Lynch; Rose Ti; Ron Tong; John; male speaker; Carl Leboa; Mary Stephenson; Paul von Beroldingen; David Erst.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Al Simmons, foster care placement of Black children.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

(The following three items will be voted on separately.)

Adopted

[Appointment]

Resolution appointing Supervisor Kevin Shelley to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

File 92-96-9, Resolution No. 158-96

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Supervisor Shelley Excused from Voting

On advice of the City Attorney, Supervisor Shelley requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Ammiano, moved to excuse Supervisor Shelley from voting.

Motion to excuse Supervisor Shelley from voting adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Teng, Yaki - 10.

Excused: Supervisor Shelley - 1.

The President resumed the Chair.

[Appointment]

Resolution appointing Supervisor Sue Bierman to the Bay Conservation and Development Commission. (Clerk of the Board)

File 92-96-10, Resolution No. 159-96

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Supervisor Bierman Excused from Voting

On advice of the City Attorney, Supervisor Bierman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Yaki, moved to excuse Supervisor Bierman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Excused: Supervisor Bierman - 1.

[Appointment]

Resolution appointing Supervisor Tom Ammiano to the Executive Committee of the Association of Bay Area Government, for the unexpired portion of two year term ending June 30, 1996. (Clerk of the Board)

File 92-96-11, Resolution No. 161-96

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Supervisor Ammiano Excused from Voting

On advise of the City Attorney, Supervisor Ammiano requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Bierman, moved to excuse Supervisor Ammiano from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Excused: Supervisor Ammiano - 1.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Adopted

[Lien]

Resolution authorizing the release of lien on property known as Booker T. Washington Community Service Center at 800 Presidio Avenue, owned by the Booker T. Washington Community Service Center Corporation, and urging the Mayor to urge the Tax Collector to forgive accrued penalties and interest. (Supervisors Alioto, Kennedy, Bierman)

File 3-96-1, Resolution No. 144-96

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Commend George Washington High school]

Resolution commending George Washington High School on its 60th Anniversary and for providing outstanding education and community service to San Francisco. (Supervisors Shelley, Alioto, Kaufman, Leal, Bierman)

File 6-96-22, Resolution No. 145-96

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal Bierman requested to be added as co-sponsors.

[Ballot Measure, Proposition 197, Mountain Lions]

Resolution opposing Proposition 197, which would allow the Department of Fish and Game to reinstitute "sport" mountain lion hunting in California. (Supervisors Migden, Alioto, Bierman)

File 60-96-2, Resolution No. 155-96

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. (Supervisors Shelley, Teng, Bierman)

File 270-95-6.4

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano)

File 30-96-1.2

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Adopted.

[China Basin Ballpark Benefits Report]

Motion directing the Budget Analyst to prepare a report analyzing any and all benefits to the City that might result from the construction of the proposed China Basin Ballpark as being considered by the voters at the March 26, 1996 election; requesting that the report be given highest priority. (Supervisor Hsieh)

File 165-96-1.1

(February 5, 1996 - Introduced in Board for consideration on February 12, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-7, Resolution No. 143-96

(Tom Ammiano, member, Board of Supervisors, March 9 - 13 and March 29 - April 3; Tom Hsieh, member, Board of Supervisors, February 25 - 27 and March 9 - 13; Susan Leal, member, Board of Supervisors, March 6 - 20, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Migden, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Migden, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Imperative Resolutions]

Adopted

[Friends of the Urban Forest]

Resolution commending the ongoing efforts of the Friends of the Urban Forest and celebrating the planting of the organization's 20,000th tree.

File 006-96-024, Resolution No. 145-96

Supervisors Shelley, Hsieh, Teng, Alioto, Yaki, Bierman, Kaufman, Migden, Ammiano, Kennedy, Leal presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Discrimination, Disabled in Employment]

Draft ordinance adopting and implementing the policy of the San Francisco Civil Service Commission regarding non-discrimination against qualified individuals with disabilities in accordance with state and federal law. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee.

File 222-96-001.

Referred to Board

[Commend Herb Caen]

Resolution commending Herb Caen, columnist for the San Francisco Chronicle, on the occasion of his 80th birthday on April 3, 1996. Supervisors Leal, Migden, Kaufman, Bierman, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar February 26, 1996.

File 006-96-025.

[Commend Jewish Museum]

Resolution commending the Jewish Museum San Francisco on its special exhibition, "From the Ends of the Earth: Judaic Treasures of the Library of Congress." Supervisors Kaufman, Migden, Leal, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar February 20, 1996.

File 006-96-026.

[State Legislation AB 2084]

Resolution opposing Assembly Bill 2084 (Richter) and urging the Mayor to direct the City's Legislative Representative to urge the State Legislature to oppose AB 2084 concerning the transfer of Transportation Development Sales Tax revenue to the General Fund in all counties. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 20, 1996.

File 012-96-009.

[Internet First Amendment Rights]

Resolution urging the Congress and the President to pass SB 1567 (Leahy) which would repeal the Exon Amendment of the telecommunications bill recently signed by President Clinton and restore First Amendment rights on the Internet. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar February 20, 1996.

File 013-96-004.

[Medicaid Cuts]

Resolution opposing the National Governors' Association proposal to shift Medicaid to a block grant formula. Supervisors Migden, Alioto, Bierman, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 20, 1996.

File 013-96-005.

[Appointment, Redevelopment Agency]

Resolution confirming the appointment of Lynette Sweet as a member of the Redevelopment Agency of the City and County of San Francisco. Supervisor Shelley presented on behalf of the Mayor. Referred to Rules Committee with request it be considered at the February 20, 1996 meeting.

File 033-96-001.

Referred to Committee

[Interim Controls, 24th Street]

Resolution imposing Interim Zoning Controls to temporarily prohibit specialty grocery and retail coffee stores, subject to specified exemptions, in the 24th Street-Noe Valley Neighborhood Commercial District, as defined in City Planning Code Section 728.1, for an eighteen (18) month period. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 111-96-001.

[Interim Controls, 24th Street, Permits]

Resolution enacting order directing the Zoning Administrator, the Superintendent of the Bureau of Building Inspection and other permit issuing agencies to suspend action on any application for permits or licenses for specialty grocery and retail coffee stores, subject to specific exceptions, in the 24th Street-Noe Valley Neighborhood Commercial District, as defined in City Planning Code Section 728.1. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 111-96-001.01.

Referred to Board

[Liability, Consulting Contractor]

Resolution authorizing the City and County of San Francisco, acting through the appropriate City

officials, to limit the liability of Superior Consulting Company, Inc. in its consulting agreement with the City to provide quality assurance services for the implementation of information systems for the Community Health Network of San Francisco. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar February 20, 1996.

File 172-96-003.

[Coit Tower Pioneer Park Stairway]

Resolution urging the Chief Administrative Officer to direct the Department of Public Works to fund two stairways on Greenwich and Filbert Streets east of Telegraph Hill Boulevard to improve pedestrian circulation and Muni access. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 20, 1996.

File 200-96-002.

Referred to Committee

[Phelan Loop and Campus Safety]

Resolution urging the Department of Public Works and Police Department to take steps to increase safety in the Phelan Loop and Phelan Campus of the City College of San Francisco areas. Supervisor Teng presented. Referred to Government Efficiency/Labor Committee.

File 207-96-002.

Requests for Hearings:

[Municipal Railway Services, Seniors and Disabled]

Hearing to consider the needs of seniors and the disabled with regard to Municipal Railway services. Supervisor Yaki presented. Referred to Housing and Land Use Committee.

File 007-96-001.

[Summer Youth Jobs Program Funding]

Hearing to consider what steps San Francisco is taking concerning projected elimination or severe reduction of federal funding for the Summer Youth Jobs Program. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee.

File 215-96-002.

Introduced by the President at the Request of Departments

* Ordinances Referred to Committee

File 045-96-008. [Julia Bontempi v. CCSF] Ordinance authorizing settlement of litigation of Julia Bontempi against the City and County of San Francisco by payment of \$9,000. (Superior Court No. 967-530). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-009. [Kevin B. Williams v. CCSF] Ordinance authorizing settlement of litigation of Kevin B. Williams against the City and County of San Francisco, Gerald Costanzo, John J. Walsh, Herman Alcade, Terry Jourgenson, Peter Jamero and Edwin Lee by payment of \$65,000. (U.S.C.A. No. 93-16090 and California Court of Appeals No. A070423). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 101-95-051. [Appropriation, Police Department] Ordinance appropriating and rescinding \$31,690, Police Department, of General Fund salaries for the creation and deletion of one (1) position for fiscal year 1995-96 (reclassify Class 9205A, Communications Coordinator); companion measure to File 102-95-14. RO #95158. (Controller) Referred to Budget Committee.

File 101-95-052. [Appropriation, Registrar of Voters] Ordinance appropriating \$195,195, Registrar of Voters, from the General Fund Reserve for salaries, fringe benefits, other current expenses and equipment for the creation of one (1) position for fiscal year 1995-96; companion measure to File 102-95-11 RO #95146. (Controller) Referred to Budget Committee.

File 101-95-053. [Appropriation, Police Department] Ordinance appropriating and rescinding \$380,942, Police Department, of General Fund salaries for the creation and deletion of twelve (12) positions for fiscal year 1995-96; companion measure to File 102-95-13. RO #95154. (Controller) Referred to Budget Committee.

File 101-95-054. [Appropriation, Police Department] Ordinance appropriating \$183,200, Police Department, of Narcotics Forfeiture and Asset Seizure Funds to purchase laboratory equipment for fiscal year 1995-96. RO #95155. (Controller) Referred to Budget Committee.

File 101-95-055. [Appropriation, Police Department] Ordinance appropriating \$50,000, Police Department, of Narcotics Forfeiture and Asset Seizure Funds for the purchase of portable radios for fiscal year 1995-96. RO #95139. (Controller) Referred to Budget Committee.

File 101-95-056. [Appropriation, Airport] Ordinance appropriating \$14,188,100, Airport, of interest earnings from various capital improvement project and Bond Funds, to various capital improvement projects (Five-year Capital Projects Plan and Master Plan Projects), for fiscal year 1995-96. RO #95153. (Controller) Referred to Budget Committee.

File 101-95-057. [Appropriation, Fire Department] Ordinance appropriating \$597,410, Fire Department, of 1992 Fire Protection Bond Proceeds (Prop C), for various capital improvement projects (DPW Management Control, SFFD Administration, SFFD Disruption), for fiscal year 1995-96. RO #95152. (Controller) Referred to Budget Committee.

File 101-95-058. [Appropriation, Airport] Ordinance appropriating \$801,000, Airport, of Narcotics Forfeiture and Asset Seizure Fund Revenues to purchase equipment to enhance the Narcotics Interdiction Program for fiscal year 1995-96. RO #95116. (Controller) Referred to Budget Committee.

File 102-95-011. [Salary Ordinance Amendment, Registrar of Voters] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Registrar of Voters, reflecting the creation of one position, Classification 1819N MIS Specialist III; companion measure to File 101-95-52. (Department of Human Resources) Referred to Budget Committee.

File 102-95-013. [Salary Ordinance Amendment, Police Department] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of twelve (12) positions (Classifications Q60N Lieutenant (11), 0395N Assistant Chief of Police (1), and the deletion of twelve (12) positions (Classifications Q50A Sergeant (11), 0400A Deputy Chief (1)); companion measure to File 101-95-53. (Department of Human Resources) Referred to Budget Committee.

File 102-95-014. [Salary Ordinance Amendment, Police Department] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of one (1) position, 8245N Communications Manager SFPD and the deletion of one (1) position, 9205A Airport Communications Coordinator; companion measure to File 101-95-51. Referred to Budget Committee.

File 115-96-001.01. [Amend Planning Code to Allow Ferris Wheel, Pier 39] Ordinance amending Article 2.5 of the San Francisco Planning Code by amending Section 260 to allow amusement parks and other commercial enterprises in C-2 Districts with conditional use authorization pursuant to Section 303 to a maximum height of 65 feet with an area not exceeding 1,000 square feet above the height limit measured parallel to the ground; companion measure to File 115-96-1. (Department of City Planning) (City Planning Resolution No. 14032, adopted 12/14/95) (City Planning Motion No. 14033, adopted 12/14/95). Referred to Housing and Land Use Committee.

File 115-96-002. [Adult Entertainment Ban, Van Ness SUD] Ordinance amending Planning Code by amending Section 213 Van Ness Special Use District to prohibit adult entertainment enterprises as described in Section 221(k) pursuant to City Planning Code Section 101. (Department of City Planning) (Exempt Status: General Rule Exclusion (State Guidelines Section 15061(b) (3))). (City Planning Resolution No. 14037, adopted 1/11/96). Referred to Housing and Land Use Committee.

File 121-96-005. [Tour Bus Restrictions] Ordinance amending Police Code by adding Sections 1183.27 and 1183.28, adding to the list of streets upon which a tour bus restriction shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 124-96-003. [Commercial Vehicle Weight Restrictions] Ordinance amending Traffic Code by adding Sections 28.5.49 and 28.5.50, adding to the list of streets upon which a commercial vehicle weight restriction shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 023-96-001. [Waiving Statute of Limitations] Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$2,690.78 a legal obligation of the City and County of San Francisco. (Payee: Alison Matsunaga \$1,587.54; George Elkin \$1,103.24) (Controller) Referred to Government Efficiency/Labor Committee.

File 048-96-008. [Settlement of Claim, Claude and Valarie Cooper] Resolution approving the settlement of the unlitigated claim of Claude and Valarie Cooper by payment of \$8,750. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 082-96-002. [Temporary Construction Easement] Resolution authorizing the City and County of San Francisco to acquire, on behalf of the Department of Public Works, a temporary construction easement through a portion of the real property identified as Assessor's Parcel No. 4347A/1/2 - \$44,871.54; and adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Referred to Budget Committee.

File 094-96-001. [Sunol Water Temple Restoration] Resolution authorizing the Public Utilities Commission General Manager to apply for, accept and expend \$820,000 from the Intermodal Surface Transportation Efficiency Act (ISTEA) under the California Department of Transportation enhancement activities program for the historic restoration of the Sunol Water Temple site. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 115-96-001. [Negative Declaration, Ferris Wheel at Pier 39] Resolution adopting Final Negative Declaration, finding and determining that amending Section 260 of the Planning Code to provide a height exception for permanent open-air amusement structures in large amusement complexes located in C-Districts will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 115-95-1.1. (Department of City Planning) (Final Negative Declaration adopted 12/14/95.) (City Planning Motion No. 14031 adopted 12/14/95 affirming decision to issue a Negative Declaration.) Referred to Housing and Land Use Committee.

File 133-96-002. [Grant - State, Household Hazardous Waste] Resolution authorizing the Chief Administrative Officer (CAO) of the City and County of San Francisco to accept and expend \$86,289 in discretionary grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (Also see File 133-95-8) (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 213-96-001. [Federal Grant, Mission Street Transit Project] Resolution authorizing the Public Transportation Commission to apply for, accept and expend up to \$1,250,000 (including local match) of Federal Transit Administration Capital Assistance Section 3 funds to carry out Livable Urban Streets-Mission Street Transit Demonstration Project Activities. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that letters of inquiry be sent to Department of Public Works, Department of Building Inspection, Fire Department and the Public Health Department concerning the Coliseum Theatre, located on Clement Street, its physical condition and whether or not it is presenting a hazard to the neighborhood and in violation of any building, health, fire or any other relevant City codes. The Board of Supervisors would appreciate a response on or before March 1, 1996.

By Supervisor Kaufman, that City Attorney advise what steps the City may take to get the property owner to clean up the Coliseum Theatre located on Clement Street. The Board of Supervisors would appreciate a response on or before March 1, 1996.

By Supervisor Kaufman, that letters of inquiry be sent to Assessor and Tax Collector concerning the Coliseum Theatre, located on Clement Street, to determine if there are any outstanding liabilities against this property and would appreciate a response on or before March 1, 1996.

By Supervisor Kaufman, that letters of inquiry be sent to Director of Planning and Director of Parking and Traffic concerning alleged illegal wholesale commercial activities taking place out of illegally parked cars (double parked trucks) on Clement Street. The Director of Planning is requested to report whether selling products out of parked cars on City streets is appropriate and within the parameters of planning regulations. If these actions are inappropriate, please advise how the City can stop illegal business transactions from parked vehicles and that a response be submitted within one week.

By Supervisor Kaufman, that City Attorney prepare legislation concerning construction contracts which would require a "Request for Pre-qualification" which specifies that 50 percent of sub-contractors be San Francisco subs and if permitted, also specify that 50 percent of employees be San Francisco residents.

By Supervisor Kennedy, that City Attorney review the volunteer screening procedures at the Recreation and Park Department and advise whether the volunteer application forms (criminal history, consent and release of information forms) now being requested from volunteers who work with adults in senior programs is appropriate or a violation of the volunteer's privacy.

By Supervisor Kennedy, that letters be sent to President Bill Clinton and Speaker Newt Gingrich indicating the Board's support of the new report that reconfirms the long-term benefits of early childhood programs like Head Start and opposes any cuts of funding for the Head Start program.

By Supervisor Shelley, that City Attorney prepare legislation to add Municipal Railway to the Combined 911 Emergency Dispatch System.

By Supervisor Yaki, that City Attorney provide formal opinion on the impact of the Telecommunications Act of 1996 on San Francisco, specifically, whether the new law has any pre-emptive effect on San Francisco's ability to regulate the siting and emissions of cellular transmitters for personal communication systems.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Crystal Beach Blaney (Supervisor Shelley)
Joe Dee (Supervisor Kaufman)
Mary Frances Warren (Supervisor Leal)

File 2-96-7

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 9:52 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 11, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Tuesday, February 20, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91

Number 8

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, February 20, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:19 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Alioto - 1.

Quorum present.

Supervisor Alioto was noted present at 2:20 p.m.

Suspension of the Rules
Presentation Made

Supervisor Ammiano, seconded by Supervisor Teng, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Jane Adams, representing the California Park and Recreation Society.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11

President Shelley introduced Jane Adams, Director, California Park and Recreation Society to present two awards; one for the AIDS Memorial Grove, and one for the Tenderloin Children's Playground and Recreation Center.

Recreation and Park Department Director Mary Burns, Kerry Enright, Executive Director of AIDS Memorial Grove and Jack Porter, Member, Board of Director of the Grove were called forward to accept the California Park and Recreation Society Special Award of Excellence for the volunteer effort in the AIDS Memorial Grove Project.

The California Park and Recreation Society presented a second award for Excellence in Recreation Center Design for the Tenderloin Children's Playground and Recreation Center to the following: Bob Nist and Andrew Maloney, Bureau of Architecture, Department of Public Works; Walt Kocian (retired) Landscape Architecture, Department of Public Works; Kelly Cullen, Tenderloin Neighborhood Development Corporation; Tim Lillyquist, Recreation and Park Department; Diana Chin and Keith Grier, Recreation Directors at the Playground and Recreation Center; and Children of the Tenderloin.

Moment of Silence

Supervisor Yaki requested a moment of silence in honor of the passing of Edmund G. "Pat" Brown, Prentis Cobb Hale, and Rhoda Goldman.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, January 29, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of City Planning]

Ordinance appropriating \$101,874, Department of City Planning, of Planning Fee revenue, to salaries and mandatory fringe benefits to reduce salary savings for fiscal year 1995-96. (Controller)

File 101-95-46, Ordinance No. 73-96

Finally passed.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$50,000, Chief Administrative Officer, from the General Fund Reserve to professional services to provide funding for negotiations with Viacom/TCI for fiscal year 1995-96; placing \$10,500 on reserve; providing for ratification of action previously taken. (Controller)

File 101-95-47, Ordinance No. 74-96

Finally passed.

[Appropriation, Art Commission]

Ordinance appropriating \$201,348, Art Commission, \$200,000 from the Reserve for Cultural Centers and \$1,348 from the General Fund Reserve, for various facilities maintenance improvements for fiscal year 1995-96; placing \$197,488 on reserve. (Supervisors Kaufman, Bierman)

File 101-95-48, Ordinance No. 75-96

Finally passed.

[Appropriation, Department of Parking and Traffic]

Ordinance appropriating and rescinding \$141,990, Department of Parking and Traffic, from salaries and fringe benefits, for the creation and deletion of nine (9) positions for fiscal year 1995-96. (Controller)

File 101-95-49, Ordinance No. 76-96

Finally passed.

[Public Employment]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of nine (9) positions; companion measure to File 101-95-49. (Department of Human Resources)

File 102-95-10, Ordinance No. 78-96

Finally passed.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$150,000, Sheriff's Department, of Sheriff-State Authorized Revenue Fund, to replace eight vehicles for fiscal year 1995-96. (Controller)

File 101-95-50, Ordinance No. 77-96

Finally passed.

Recommendations of Joint Rules/Budget Committee

Finally Passed

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$1,600,000, Chief Administrative Officer, of 911 Project Funds for the purpose of mobile computing terminals (provide local match for Cops More grant); placing \$1,600,000 on reserve. (Supervisors Shelley, Teng, Kennedy, Yaki, Ammiano)

File 101-95-44, Ordinance No. 72-96

Finally passed.

[911 Emergency Response Fund Interest]

Ordinance amending Administrative Code to require effective January 1, 1996, that interest earned from the fund be retained in the fund to be expended only for the purposes for which the fund was established. (Supervisor Shelley, Teng, Kennedy, Yaki, Ammiano)

File 97-96-2, Ordinance No. 79-96

(Amends Section 10.204.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Vehicle Weight Restriction, Scott Street]

Ordinance amending Traffic Code, adding Scott Street, between California and Bush Streets, to the list of streets upon which a commercial vehicle weight restriction shall apply. (Department of Parking and Traffic)

File 124-96-1, Ordinance No. 71-96

(Adds Section 28.5.46.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Flavio Medina, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Flavio and Jovita Medina against the City and County, by payment of \$6,162.42. (City Attorney)

File 45-96-5, Ordinance No.

(Municipal Court No. 117-249.)

Passed for second reading.

[Marcia Rayene, v. CCSF]

Ordinance authorizing settlement of litigation of Marcia Rayene against the City and County by payment of \$9,850. (City Attorney)

File 45-96-6, Ordinance No.

(Municipal Court No. 112-371.)

Passed for second reading.

[Consuelo Bartenfeld v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Consuelo Bartenfeld against the City and County by payment of \$14,500. (City Attorney)

File 45-96-7, Ordinance No.

(Superior Court No. 961-353.)

Passed for second reading.

[CCSF v. Palace Enterprises]

Ordinance authorizing settlement of litigation of City and County v. Palace Enterprises et al., for Defendants' payment of \$25,000 in penalties to the City and stipulation to a permanent injunction. (City Attorney)

File 46-96-4, Ordinance No.

(Superior Court No. 969-380.)

Passed for second reading.

Adopted

[Gift Acceptance, Police Department]

Resolution authorizing the Chief of Police to accept, on behalf of the Police Department, a redistribution gift of four generators from the Department of the Army. (Police Commission)

File 38-96-3, Resolution No. 170-96

Adopted.

[Lease, Moscone Center Garage]

Resolution accepting Peter Ling as lessee of certain commercial space at Moscone Center Garage by negotiated agreement. (Real Estate Department)

File 47-96-1, Resolution No. 171-96

Adopted.

[Settlement of Claim, CA State Automobile Assn.]

Resolution approving the settlement of the unlitigated claim of California State Automobile Association by payment of \$9,519.59. (City Attorney)

File 48-96-6, Resolution No. 172-96

Adopted.

[Settlement of Claim, Leda P. Cartwright]

Resolution approving the settlement of the unlitigated claim of Leda P. Cartwright by payment of \$40,000. (City Attorney)

File 48-96-7, Resolution No. 173-96

Adopted.

[Lease Amendment, 1145 Market Street]

Resolution authorizing an amendment of a lease of real property at 1145 Market Street for the Office of the Chief Administrative Officer, Solid Waste Management Program. (Real Estate Department)

File 64-96-1, Resolution No. 174-96

Adopted.

[Steel Recycling Institute Receipt]

Resolution authorizing the Chief Administrative Officer of the City and County to accept and expend \$1,500 from the Steel Recycling Institute. (Chief Administrative Officer)

File 133-96-1, Resolution No. 177-96

Adopted.

[Early Childhood Mental Health Services Program]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse to apply retroactively for a grant of \$1,515,193, from the Miriam and Peter Haas Fund, to create an integrated model of targeted consultation by establishing an intensive consultant training program which will prepare mental health practitioners to provide consultation, staff training, prevention and early intervention services and support for constituents of licensed, center-based early childhood programs serving San Francisco's low income families; waiving indirect costs. (Supervisors Alioto, Leal)

File 146-96-2, Resolution No. 178-96

Adopted.

[Grant, State Department of Rehabilitation]

Resolution authorizing the Department of Public Health, Mental Health Services, to accept and expend a grant in the amount of \$128,065, from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally ill psychiatric clients; waiving indirect costs. (Supervisor Alioto)

File 146-96-3, Resolution No. 179-96

Adopted.

[State Grant, Immunization Services]

Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend retroactively a grant of \$52,122 from the California Department of Health Services, for immunization services by Mission Neighborhood Health Center to immunize high risk infants and toddlers; waiving indirect costs; providing for ratification of action previously taken. (Supervisor Alioto)

File 146-96-4, Resolution No. 180-96

Adopted.

[State Grant, Juvenile Probation]

Resolution authorizing the Juvenile Probation Department to accept and expend grant monies in the amount of \$94,354.00 from the State of California, Department of the Youth Authority, for the administration of Log Cabin and Hidden Valley Ranches; waiving indirect costs. (Juvenile Probation Department)

File 214-96-1, Resolution No. 185-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Joint Rules/Budget Committee

Finally Passed

[Appropriation, Fire Department]

Ordinance appropriating \$600,000, Fire Department, of 1992 Fire Protection Bond proceeds for Capital Improvement Project (design of new 911 Dispatch Center) for fiscal year 1995-96; subject of previous budgetary denial. (Budget Committee)

File 101-94-86, Ordinance No. 70-96

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Adopted

[Final Negative Declaration, 911 Emergency Dispatch Center]

Resolution adopting Final Negative Declaration, finding and determining that the new 911 Emergency Dispatch Center for the property located at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Supervisors Shelley, Hsieh, Teng, Kennedy, Yaki, Ammiano)

File 216-95-1, Resolution No. 160-96

(February 12, 1996 - Consideration continued to February 20, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Passed for Second Reading

[Combined Emergency Communications Center, 1003 Turk Street]

Ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, for the construction and operation of a new Combined

Emergency Communications Center; adopting findings that such project is in conformity with the Master Plan and consistent with the eight priority policies of City Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act; companion measure to File 216-95-1. (Supervisors Shelley, Hsieh, Teng, Kennedy, Yaki, Ammiano)

File 216-95-1.1, Ordinance No.

(Fiscal Impact.)

(February 12, 1996 - Consideration continued to February 20, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

NEW BUSINESS

Recommendation of Budget Committee

Adopted

[Acquisition of Property, Brooks Park/Extension "Open Space"]
Resolution authorizing purchase agreement for acquisition of real property located in Merced Heights described as the Brooks Park Open Space Extension Site, identified as Assessor's Block 7075, Lots 32, 33, 34, and 35 for open space purposes and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 168-96-2, Resolution No. 181-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Implementing Provisions, Local 6]
Ordinance adopting and implementing the provisions of a departmental Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the Department of Transportation to be attached to the current citywide Memorandum of Understanding as Appendix 6, effective for the period March 1, 1996 through June 30, 1996. (Department of Human Resources)

File 93-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Employee Pay Warrants]
Ordinance amending Administrative Code, relating to the designation of person to receive warrants or checks on death of employee. (Controller)

File 97-96-3, Ordinance No.

(Adds Section 18.7.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Assessment Appeals Board, Hearing Officers]
Ordinance amending Administrative Code, changing the number of hearing officers selected from among the alternate members of the Assessment Appeals Boards. (City Attorney, Supervisors Bierman, Kaufman)

File 97-96-4, Ordinance No.

(Amends Section 2B.14.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

In connection with the above item, Supervisors Bierman, Kaufman requested to be added as co-sponsors.

[Public Health Laboratory Services]

Ordinance amending Administrative Code, to authorize the Director of Public Health to contract for laboratory services with non-governmental parties. (Department of Public Health)

File 97-96-5, Ordinance No.

(Amends Section 19A.20.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Adopted

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged and/or stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-95-4, Resolution No. 186-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Disaster Relief Funds]

Resolution authorizing the Mayor and other designated City and County officials to execute and file, on behalf of the City and County, an application for Federal and/or State Financial Assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the December 1995 storms. (Controller)

File 68-96-1, Resolution No. 175-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Noise Easements Acquisition, City of Millbrae]

Resolution authorizing the acquisition of 61 noise easements in the City of Millbrae as a part of the Airport Master Plan's Memorandum of Understanding between the Airport and its neighboring communities - \$120,000,000. (Real Estate Department)

File 82-96-1, Resolution No. 176-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[State Grant, Retrofit of the Central Freeway]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$51,825 in state funds for the modification and extension of an existing consultant contract in order to evaluate the feasibility of alternatives to the retrofit of the Central Freeway, waiving reimbursement of indirect costs; providing for ratification of action previously taken. (Department of Parking and Traffic)

File 192-96-1, Resolution No. 183-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Recommendations of Rules Committee

Passed for Second Reading as Amended

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

[Tour Bus Restrictions, El Camino Del Mar/25th Avenue]

Ordinance amending Police Code, regarding tour bus restrictions on El Camino Del Mar, and on 25th Avenue; the provisions of this ordinance to expire on June 30, 1996. 6. (Supervisor Shelley)

File 121-96-2, Ordinance No.

(Amends Section 1183.13;
Adds Section 1183.26.)

Supervisor Yaki, seconded by Supervisor Alioto, moved to amend title, line five, by adding "the provisions of this ordinance to expire on June 30, 1996," and amend line 20 to add: "Section 3. The provisions of this ordinance shall expire on June 30, 1996."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

Absent: Supervisor Migden - 1

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

The President resumed the Chair.

Adopted

[No Left Turn Restrictions]

Resolution rescinding the "No Left Turn" restriction and establishing a "No Left Turn Except Buses" restriction for eastbound Geary Boulevard at Park Presidio Boulevard. (Supervisor Shelley)

File 20-96-3, Resolution No. 163-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing appealing decision of City Planning Commission by its Motion No. 14022, dated November 30, 1995, approving Conditional Use Application No. 95.255C, for a Planned Unit Development to allow demolition of a fire damaged, two story commercial structure and accessory parking lot, construction of 30 low income rental dwelling units and 30 off-street parking spaces, and authorizing exceptions from Planning Code requirements for rear yard depth, front setback, and moderation of building front, and authorizing conditional use approval for a building height of 46 feet in an RM-1 (Lot 1A-Mixed Residential, Low Density) and RM-2 (Lot 1-Residential, Mixed, Moderate Density) District with a 50-X height and bulk designation on property located at 1010 South Van Ness Avenue; Lots 1 and 1A in Assessor's Block 3615.

File 37-95-9

(Appeal filed December 27, 1995.)

(Exempt from environmental review under the California Environmental Quality Act ("CEQA")).

(January 22, 1996 - Consideration continued to February 20, 1996.)

The following persons were sworn in and granted privilege of the floor:

Appellants: Attorney Laurel Stanley, James Tyler, Andrew Solow.

Respondents: Executive Director, Mission Housing, Daniel Hernandez, Victor Marquez, Becka Brasian, Louise Vaughn, David, Juan Pifarrie, Man, Mara Reyes, Julia Wall, Kathy Briones, Steven Wetherford, Julie McDeven, Mark Schwartz, Shane Shaffer, Jim Huber, Kim Calhoun, Lisa Pagan (presenting petition with 108 signatures), Eric Esada.

A rebuttal period was allowed.

The President then declared the hearing closed.

Adopted

[Zoning Appeal]

Motion approving decision of City Planning Commission by its Motion No. 14022, approving Conditional Use Application No. 95.255C, on property located at 1010 South Van Ness Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-9.1

(January 22, 1996 - Consideration continued to February 20, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Tabled

[Zoning Appeal]

Motion disapproving decision of City Planning Commission by its Motion No. 14022, approving Conditional Use Application No. 95.255C, on property located at 1010 South Van Ness Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-95-9.2

(January 22, 1996 - Consideration continued to February 20, 1996.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 95.255C, on property located at 1010 South Van Ness Avenue, for action by the Board at its next meeting.

File 37-95-9.3

(January 22, 1996 - Consideration continued to February 20, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

COMMITTEE REPORTS

Recommendation of Rules Committee

Adopted

[Appointment]

Resolution confirming Mayor's appointment to the Redevelopment Agency, for term ending September 3, 1999. (Mayor)

File 33-96-1, Resolution No. 169-96

(Lynette Sweet, vice Clarence R. Stern, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Rev. Boyd, 911 System;
Al Rose, Black History Month.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commend Jewish Museum]

Resolution commending the Jewish Museum San Francisco on its special exhibition, "From the Ends of the Earth: Judaic Treasures of the Library of Congress." (Supervisors Kaufman, Migden, Leal, Shelley, Teng, Yaki, Ammiano, Bierman)

File 6-96-26, Resolution No. 164-96

(February 12, 1996 - Introduced in Board for consideration on February 20, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Ammiano, Bierman requested to be added as co-sponsors.

[State Legislation AB 2084]

Resolution opposing Assembly Bill 2084 (Richter) and urging the Mayor to direct the City's Legislative Representative to urge the State Legislature to oppose AB 2084 concerning the transfer of Transportation Development Sales Tax revenue to the General Fund in all counties. (Supervisors Bierman, Leal, Ammiano)

File 12-96-9, Resolution No. 165-96

(February 12, 1996 - Introduced in Board for consideration on February 20, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Ammiano requested to be added as co-sponsors.

[Internet First Amendment Rights]

Resolution urging the Congress and the President to pass S 1567 (Leahy) which would repeal the Exon Amendment of the telecommunications bill recently signed by President Clinton and restore First Amendment rights on the Internet. (Supervisors Migden, Leal, Teng, Yaki, Ammiano, Bierman)

File 13-96-4, Resolution No. 166-96

(February 12, 1996 - Introduced in Board for consideration on February 20, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Yaki, Ammiano, Bierman requested to be added as co-sponsors.

[Medicaid Cuts]

Resolution opposing the National Governors' Association proposal to shift Medicaid to a block grant formula. (Supervisors Migden, Alioto, Bierman, Ammiano, Leal, Teng, Yaki)

File 13-96-5, Resolution No. 167-96

(February 12, 1996 - Introduced in Board for consideration on February 20, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Yaki requested to be added as co-sponsors.

[Liability, Consulting Contractor]

Resolution authorizing the City and County, acting through the appropriate City officials, to limit the liability of Superior Consulting Company, Inc. in its consulting agreement with the City to provide quality assurance services for the implementation of information systems for the Community Health Network of San Francisco. (Supervisors Hsieh, Yaki)

File 172-96-3, Resolution No. 182-96

(February 12, 1996 - Introduced in Board for consideration on February 20, 1996.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Coit Tower Pioneer Park Stairway]

Resolution urging the Chief Administrative Officer to direct the Department of Public Works to fund two stairways on Greenwich and Filbert Streets east of Telegraph Hill Boulevard to improve pedestrian circulation and Muni access. (Supervisors Bierman, Leal, Teng, Ammiano, Kaufman)

File 200-96-2, Resolution No. 184-96

(February 12, 1996 - Introduced in Board for consideration on February 20, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Ammiano, Kaufman requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-8, Resolution No. 163-96

(Willie L. Brown, Jr., Mayor, City and County of San Francisco, February 17 -19; Tom Ammiano, member, Board of Supervisors, February 29 - March 3; Philip Adams, Director, Public Transportation, March 8 - 13; Mary Gomez Daddio, Commissioner, Human Rights Commission, February 14 - 20, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Brown Act Finding]

Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

[Imperative Resolution]

Adopted

[Commending Police Chief Anthony Ribera]

Resolution commending Police Chief Anthony Ribera on his 28 years of exemplary service to the City and County of San Francisco.

File 6-96-27, Resolution No. 187-96

Supervisors Hsieh, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Tour Bus Restrictions]

Ordinance amending Police Code adding Section 1183.27 to prohibit tour buses on 15th Avenue from Lake to the Presidio. Supervisors Shelley, Yaki, Bierman presented. Referred to Rules Committee.

File 121-96-5.1.

[Discrimination, Disabled in Employment]

Substitute ordinance adopting and implementing the policy of the San Francisco Civil Service Commission regarding non-discrimination against qualified individuals with disabilities in accordance with state and federal law. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee.

File 222-96-001.

[Lobos Creek Moratorium]

Resolution rescinding Board of Supervisors' Resolution No. 48-96 concerning interim zoning controls that imposed the Lobos Creek Conservation District Moratorium Extension. Supervisor Shelley presented. Referred to Rules Committee.

File 111-94-001.03.

Referred to Board

[Supporting State Legislation - AB 2242]

Resolution supporting AB 2242 regarding sidewalk food display counters and urging the State Legislature to approve passage. Supervisors Kaufman, Migden, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar February 26, 1996.

File 012-96-010.

Referred to Committee

[Temporary Closure of Wayne Place]

Resolution urging the Department of Parking and Traffic and Department of Public Works to support the temporary closure and improvements of Wayne Place for children's recreational activities operated by the Wu Yee Children's Service. Supervisors Teng, Bierman, Ammiano presented. Referred to Housing and Land Use Committee.

File 042-96-002.

Referred to Board

[OCC/SFPD Early Warning System]

Resolution urging the Police Commission adopt an "Early Warning" system to reduce potential misconduct problems in the Police Department. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 26, 1996.

File 207-96-003.

[Citywide School Health Plan]

Resolution supporting the development of a citywide school health plan that will serve as a framework for program development and resource allocation at all public school sites and will also serve as a guide for public agencies in serving children in the parochial and independent school systems within San Francisco. Supervisors Yaki, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 26, 1996.

File 211-96-003.

[Human Rights Commission]

Resolution requesting that the Human Rights Commission consider and recommend to the Board of Supervisors ways by which businesses offering domestic partner benefits to their employees could receive favorable consideration when city contracts are awarded. Supervisors Ammiano, Migden, Leal, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 26, 1996.

File 232-96-001.

Referred to Committee

[Lobos Creek Conservation]

Resolution urging the Mayor to urge the Planning Commission to exercise its discretionary review authority to conduct public hearings on certain permit applications, subject to specified exceptions, for property within a Lobos Creek Conservation Area, to create a permanent program for review of certain land use activities on property within this Conservation Area, and to work with city agencies, commissions, and departments and the federal government to exercise management practices that protect Lobos Creek from governmental activities, and requesting the Department of City Planning to provide a report on the establishment of a discretionary review process for certain permit applications within this Conservation Area. Supervisor Shelley presented. Referred to Rules Committee.

File 233-96-001.

Requests for Hearings:

[Budget Status]

Hearing to consider the status of San Francisco's Budget, the budget projections for 1996-97, three year budget projections and impact of State Budget on San Francisco. Supervisor Hsieh presented. Referred to Budget Committee.

File 100-96-003.

Motions:

Referred to Board

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar February 26, 1996.

File 270-95-006.05.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 26, 1996.

File 030-96-001.03.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-96-001. [Zoning Map Amendment, 2789 - 25th Street] Ordinance adopting changes in land use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located at 2789 - 25th Street, Lot 13 in Assessor's Block 4277 from "P" Public Use District to M-1, Light Industrial District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning) (City Planning Resolution No. 14048, adopted 1/25/96.) (Exempt from environmental review under General Rule Exclusion (State Guidelines, Section 15061(b)(3))). Referred to Housing and Land Use Committee.

File 036-96-002. [Zoning Map Amendments, Oakdale Avenue/Quint St.] Ordinance adopting changes in property use districts reclassification as amendments to the Zoning Map of the City and County of San Francisco concerning properties located at the southeasterly corner of Oakdale Avenue and Quint Street, Lots 14 and 15 in Assessor's Block 5320 from an RH-2 (Residential House, Two-Family) District to an RH-2 District and the Oakdale Avenue and Quint Street Affordable Housing Special Use District; and finding consistency with the Master Plan priority policies in Section 101.1 of the City Planning Code; companion measure to File 115-96-3. (Department of City Planning) (City Planning Resolution No. 14045, adopted 1/25/96.) (Exempt from environmental review under General Rule Exclusion (State Guidelines, Section 15061(b)(3))). Referred to Housing and Land Use Committee.

File 045-96-010. [Riva Mintz v. CCSF] Ordinance authorizing settlement of litigation of Riva Mintz against the City and County of San Francisco by payment of \$25,000. (Superior Court No. 956-066). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-011. [Phillip Gonzales/Rosalyn Gonzales v. CCSF] Ordinance authorizing settlement of litigation of Phillip Gonzales and Rosalyn Gonzales against the City and County of San Francisco by payment of \$35,000. (San Bernardino Superior Court Nos. SC04291 and 11637). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-012. [Progressive Insurance Co. v. CCSF] Ordinance authorizing settlement of litigation of Progressive Insurance Company against the City and County of San Francisco by payment of \$8,000. (S.F. Municipal Court No. 117744). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-013. [Troy J. Scalise v. CCSF] Ordinance authorizing settlement of litigation of Troy J. Scalise against the City and County of San Francisco by payment of \$20,000. (Superior Court No. 950-383). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-014. [Wright v. Contreras] Ordinance authorizing settlement of litigation of Willie Wright v. Fernando Jose Contreras, et al. by payment of \$15,000. (Superior Court No. 953-700) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-002.01. [Lease Agreement, Pier 38 Maritime Recreation Ctr.] Ordinance approving Lease Agreement between Carl Ernst, Jr. and Pier 38 Maritime Recreation Center, Inc. and the City and County of San Francisco operating by and through the San Francisco Port Commission for a Maritime Recreation Center at Pier 38 (on the Embarcadero between Townsend and Brannan Streets); companion measure to File 65-96-2. (Port Commission) Referred to Government Efficiency/Labor Committee.

File 097-96-007. [Execution of Leases, Mayor's Office] Ordinance amending Administrative Code by amending Section 23.20, relating to execution of leases entered into by the City and County of San Francisco as lessee, to allow the Mayor's Director of Finance, as well as the Mayor to execute these leases. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 101-95-059. [Appropriation, Rent Arbitration Board] Ordinance appropriating \$78,279, Rent Arbitration Board, of Rent Arbitration Board funds for salaries, management consulting services and other professional services for fiscal year 1995-96. RO #95157. (Controller) Referred to Budget Committee.

File 115-96-003. [Oakdale Ave/Quint Street Affordable Housing SUD] Ordinance amending Planning Code by adding Section 249.16 to create the Oakdale Avenue and Quint Street Affordable Special Use District, and finding consistency with Planning Code 101.1; companion measure to File 36-96-2. (Department of City Planning) (City Planning Resolution No. 14045, adopted 1/25/96.) (Exempt from environmental review under General Rule Exclusion (State Guidelines, Section 15061(b)(3))). Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 027-96-003. [Airport Emergency Roof Repair] Resolution approving a declaration of emergency, "Super Bay Hangar" emergency roof repair, Airport Contract No. 3641, San Francisco International Airport - \$150,000.00. (Airports Commission) Referred to Budget Committee.

File 028-96-003. [Emergency Repair, Golden Gate Ave/Capp St Sewer] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Golden Gate Avenue between Arguello Boulevard and Willard Street North and in Capp Street between Adair Street and 152 Feet Northerly - \$192,030. (Department of Public Works) Referred to Budget Committee.

File 038-96-004. [Gift Acceptance, Police Department] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift of two helicopters from the United States Department of Defense pursuant to the National Defense Authorization Act. (Police Department) Referred to Budget Committee.

File 040-96-004. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-005. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-006. [Residential Parking Area "V", Balboa Park] Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 065-96-002. [Final Neg Dec, Pier 38 Maritime Recreation Center] Resolution adopting Final Negative Declaration, finding and determining that the proposed Pier 38 Maritime Recreation Center (on the Embarcadero between Brannan and Townsend Streets) will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 65-96-2.1) (Final Negative Declaration issued on 2/2/95, as amended) (Port Commission) Referred to Government Efficiency/Labor Committee.

File 102-95-015. [Exempt Rank, Assistant Police Chief] Resolution approving the exempt rank and position of Assistant Chief of the San Francisco Police Department pursuant to Charter Section 3.530. (Police Commission) Referred to Government Efficiency/Labor Committee.

File 170-96-001. [Airport Revenue Bonds] Resolution approving the issuance of up to \$83,300,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing the Master Plan Mitigation Noise Insulation Program in accordance with the Master Plan Mitigation Memorandum of Understanding, together with certain infrastructure projects at San Francisco International Airport. (Airports Commission) Referred to Budget Committee.

File 213-96-002. [Federal Grant, Municipal Railway Projects] Resolution authorizing the Public Transportation Commission to apply for, accept, and expend \$2,161,536 of Federal Enhancement Program Assistance and \$285,047 from various local match sources such as State Transit Capital Improvement Funds, State Clean Air and Transportation Improvement Act Bond Funds, and various regional local match funds such as State Transit Assistance Funds, Transportation Development Act Funds, Bridge Toll Net Revenues, Gas Tax Revenue, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation Funds, the San Francisco County Sales Taxes, and/or Hetch Hetchy Funds for the three Municipal Railway projects listed herein including \$58,316 of indirect costs. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that letter be sent to the Chief Administrative Officer inquiring as to what improvements should be made to the taping system in the Commission Hearing Room (Room 428) in this building as complaints have been received regarding inaudible tapes.

By Supervisor Leal, that letter be sent to the Human Rights Commission requesting that the Commission investigate the treatment of the Latino community by the Redevelopment Commission.

By Supervisor Migden, that letter be sent to the Chief Administrative Officer inquiring if it is feasible for the City to sell links on a San Francisco Web Page to local businesses who want to promote themselves to tourists or businesses.

By Supervisor Shelley, that City Attorney research what Boards, Commissions, and Agencies of the City are not subject to the Sunshine Ordinance (such as the Assessment Appeals Board) and prepare legislation to include them in the Sunshine Ordinance.

By Supervisor Teng, that letter be sent to the Registrar of Voters through the Chief Administrative Officer requesting a report on the feasibility and related costs for the City to conduct the following municipal elections: 1) allowing permanent legal residents to vote in school board elections if their children are enrolled in public schools; and 2) allowing permanent legal residents to vote in Community College Board elections if they attend City College.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Edmund G. "Pat" Brown (By the entire Board)
Prentis Cobb Hale (By the entire Board)
Rhoda Goldman (By the entire Board)
Scott Beach (By the entire Board)
Marjorie Wong (Supervisor Shelley)
Joel DeCayette, Jr. (Supervisors Kennedy, Bierman)
Allen Harris (Supervisor Migden)
Jack McClosky (Supervisor Bierman)
S. Ward Cascells (Supervisor Leal)

File 2-96-7

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:47 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 18, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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2/26/96
Monday, February 26, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 26, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Noted absent at first roll call:

Supervisors Alioto, Hsieh - 2.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Alioto excused. (See infra.)

Supervisor Alioto Excused

The Clerk stated Supervisor Alioto requested to be excused from attending today's meeting.

Supervisor Ammiano, seconded by Supervisor Bierman, moved to excuse Supervisor Alioto.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Yaki requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Housing and Land Use Committee

Question Divided; Adopted as Divided

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-3, Resolution No. 193-96

(Diagonal (45-Degree Angle) Parking - Establish

Townsend Street, both sides, between 2nd Street and the Embarcadero (legalizes existing arrangement).

((Perpendicular (90-Degree Angle) Parking - Establish

Hampshire Street, west side, between 18th and 20th Streets.))

Unmetered Motorcycle Parking - Establish

Phelan Avenue, west side, from 20 feet to 160 feet north of the south crosswalk at the southerly Cloud Circle access the City College Campus (140-foot zone, accommodating 40 motorcycles).

One-Hour Parking Time Limit, 7 AM - 6 PM, Monday through Saturday - Rescind
Parking Meter Area No. 3 (2-Hour Time Limit, 9 AM - 6 PM, Monday through Saturday) - Establish
Post Street, both sides, between Franklin and Gough Streets.

One-Hour Parking Time Limit, 7 AM - 6 PM, Monday through Saturday - Rescind
Parking Meter Area No. 3 (2-Hour Time Limit, 9 AM - 6 PM, Monday through Friday) - Establish
Battery Street, west side, between Green and Union Streets.
Green Street, north side, between Sansome and Battery Streets.
Vallejo Street, both sides, between Sansome and Battery Streets.

((Two-Hour Parking Time Limit, 7AM - 6 PM, Except Sunday - Rescind
Parking Meter Area No. 3 (2-Hour Time Limit, 9 AM - 6 PM, Monday through Saturday) - Establish
Harrison Street, both sides, between 3rd and 4th Streets.))

Parking Meter Area No. 2 (2-Hour Time Limit, 7 AM - 6 PM, Monday through Saturday) - Establish
Bryant Street, both sides, between 2nd and 3rd Streets.)

At the request of Supervisor Yaki, the question was divided with respect to Hampshire Street so the matter could be considered separately.

At the request of Supervisor Kennedy, the question was divided with respect to Harrison Street so the matter could be considered separately.

The roll was then called on the main resolution and it was adopted as divided, by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Consideration Continued

[Parking Regulations, Hampshire Street]
Resolution enacting parking regulations at Hampshire Street.

File 19-96-3.1

Supervisor Yaki, seconded by Supervisor Migden, moved to continue consideration to March 11, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Rereferred to Committee as Divided

[Parking Regulations, Harrison Street]
Resolution enacting and rescinding parking regulations at Harrison Street.

File 19-96-3.2

Supervisor Kennedy, seconded by Supervisor Yaki, moved to rerefer, as divided, to Housing and Land Use Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendation of Joint Rules/Budget Committee

Finally Passed

[Combined Emergency Communications Center, 1003 Turk Street]
Ordinance selecting and setting aside certain real property at 1003 Turk Street in the Margaret S. Hayward Playground, Assessor's Block 759, Lot 1, for the construction and operation of a new Combined

Emergency Communications Center; adopting findings that such project is in conformity with the Master Plan and consistent with the eight priority policies of City Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act. (Supervisors Shelley, Hsieh, Teng, Kennedy, Yaki, Ammiano)

File 216-95-1.1, Ordinance No. 80-96

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Flavio Medina, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Flavio and Jovita Medina against the City and County, by payment of \$6,162.42. (City Attorney)

File 45-96-5, Ordinance No. 81-96

(Municipal Court No. 117-249.)

Finally passed.

[Marcia Rayene, v. CCSF]

Ordinance authorizing settlement of litigation of Marcia Rayene against the City and County by payment of \$9,850. (City Attorney)

File 45-96-6, Ordinance No. 82-96

(Municipal Court No. 112-371.)

Finally passed.

[Consuelo Bartenfeld v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Consuelo Bartenfeld against the City and County by payment of \$14,500. (City Attorney)

File 45-96-7, Ordinance No. 83-96

(Superior Court No. 961-353.)

Finally passed.

[CCSF v. Palace Enterprises]

Ordinance authorizing settlement of litigation of City and County v. Palace Enterprises et al., for defendants' payment of \$25,000 in penalties to the City and stipulation to a permanent injunction. (City Attorney)

File 46-96-4, Ordinance No. 84-96

(Superior Court No. 969-380.)

Finally passed.

[MOU, Implementing Provisions, Local 6]

Ordinance adopting and implementing the provisions of a departmental Memorandum of Understanding between the International Brotherhood of Electrical Workers, Local 6 and the Department of Transportation to be attached to the current citywide Memorandum of Understanding as Appendix 6, effective for the period March 1, 1996 through June 30, 1996. (Department of Human Resources)

File 93-96-2, Ordinance No. 89-96

Finally passed.

[Employee Pay Warrants]

Ordinance amending Administrative Code, relating to the designation of person to receive warrants or checks on death of employee. (Controller)

File 97-96-3, Ordinance No. 85-96

(Adds Section 18.7.1.)

Finally passed.

[Assessment Appeals Board, Hearing Officers]

Ordinance amending Administrative Code, changing the number of hearing officers selected from among the alternate members of the Assessment Appeals Boards. (Supervisor Kaufman)

File 97-96-4, Ordinance No. 86-96

(Amends Section 2B.14.)

Finally passed.

[Public Health Laboratory Services]

Ordinance amending Administrative Code, to authorize the Director of Public Health to contract for laboratory services with non-governmental parties. (Department of Public Health)

File 97-96-5, Ordinance No. 87-96

(Amends Section 19A.20.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as Stop intersections. (Housing and Land Use Committee)

File 18-96-4, Resolution No. 192-96

(Stop Signs - Establish

Frederick and Shrader Streets, northeast, northwest, and southwest corners, stopping all approaches (makes this an all-way Stop).

Hawes and Shafter Avenues, northwest and southeast corners, stopping Hawes Avenue (makes this a 2-way Stop).)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 95.255C, for a planned unit development which allows the demolition of a fire-damaged, two-story commercial structure and accessory parking lot, construction of 30 low income rental dwelling units and 30 off-street parking spaces, authorizes exceptions from Planning Code requirements for rear yard depth, front setback, and moderation of building front, and authorizes conditional use approval for a building height of 46 feet in an RM-1 (Lot 1A-Mixed Residential, Low Density) and RM-2 (Lot 1-Residential, Mixed Moderate Density) District with a 50-X Height and Bulk designation on property located at 1010 South Van Ness Avenue (Lots 1 and 1A in Assessor's Block 3615). (Clerk of the Board)

File 37-95-9.4

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Recommendation of Housing and Land Use Committee

(Supervisor Teng dissenting in Committee.)

Passed for Second Reading

[Zoning Map Amendment, Lakeside Subdivision]

Ordinance amending City Planning Code by amending the Zoning Map of the City and County for certain properties in the Lakeside Subdivision, generally bounded by Eucalyptus Drive on the north and Junipero Serra Boulevard and 19th Avenue on the east, south and west, all of Assessor's Blocks 7228, 7229, 7229A, 7230, 7232, 7233, 7234, 7235, 7238, 7238A, 7239, 7239A, 7240, 7240A, 7241, 7242, and 7243, and all of Assessor's Block 7231 except Lot 3, all of Assessor's Block 7236 except Lot 1, all of Assessor's Block 7237 except Lot 9, and all of Assessor's Block 7244 except Lot 17 from a 40-X Height and Bulk District to a 28-X Height and Bulk District. (Department of City Planning)

File 36-95-8, Ordinance No.

(City Planning Resolution No. 14024, adopted December 7, 1995.)

(General Rule Exclusion from Environmental Review.)

(January 29, 1996 - Consideration continued to February 26, 1996.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recommendation of Rules Committee

Finally Passed

[Tour Bus Restrictions, El Camino Del Mar/25th Avenue]

Ordinance amending Police Code, regarding tour bus restrictions on El Camino Del Mar, and on 25th Avenue, the provisions of this ordinance to expire on June 30, 1996. (Supervisor Shelley)

File 121-96-2, Ordinance No. 88-96

(Amends Section 1183.13;
Adds Section 1183.26.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Fire Department]

Ordinance appropriating \$1,600,000, Fire Department, of 1992 Fire Protection Bond interest earnings, for a capital improvement project (design and architectural projects for various fire stations), for fiscal year 1995-96; placing \$558,000 on reserve. (Controller)

File 101-95-45, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$25,352, Police Department, of General Fund salaries for the creation and deletion of one (1) position for fiscal year 1995-96 (reclassify Class 9205A, Communications Coordinator). (Supervisor Shelley)

File 101-95-51, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of one (1) position, 8245N Communications Manager SFPD and the deletion of one (1) position, 9205A Airport Communications Coordinator; companion measure to File 101-95-51. (Supervisor Shelley)

File 102-95-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$380,942, Police Department, of General Fund salaries for the creation and deletion of twelve (12) positions for fiscal year 1995-96. (Controller)

File 101-95-53, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of twelve (12) positions (Classifications Q60N Lieutenant (11), 0395N Assistant Chief of Police (1), and the deletion of twelve (12) positions (Classifications Q50A Sergeant (11), 0400A Deputy Chief (1); companion measure to File 101-95-53. (Department of Human Resources)

File 102-95-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Appropriation, Police Department]

Ordinance appropriating \$183,200, Police Department, of Narcotics Forfeiture and Asset Seizure Funds to purchase laboratory equipment for fiscal year 1995-96; placing \$183,200 on reserve. (Controller)

File 101-95-54, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted

[Temporary Construction Easement]

Resolution authorizing the City and County to acquire, on behalf of the Department of Public Works, a temporary construction easement through a portion of the real property identified as Assessor's Parcel No. 4347A/1/2 and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 82-96-2, Resolution No. 194-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recommendations of Health, Public Safety and Environment Committee

Consideration Continued

[Proposition 200 - March 26th election]

Resolution opposing California State Proposition 200, which places limitations on attorneys and citizens' liberties by restricting tort liability. (Supervisors Alioto, Kennedy)

File 60-96-1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to continue consideration to March 4, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Consideration Continued

[Proposition 202 - March 26th election]

Resolution opposing California State Proposition 202, which places limitations on attorneys and citizens' liberties by restricting attorney contingent fees. (Supervisors Alioto, Kennedy)

File 60-96-1.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to continue consideration to March 4, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

From Health, Public Safety and Environment Committee
Without Recommendation

Consideration Continued

[Proposition 201 - March 26th election]

Resolution opposing California State Proposition 201, which places limitations on attorneys and citizens' liberties by discouraging shareholder actions. (Supervisors Alioto, Kennedy)

File 60-96-1.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved to continue consideration to March 4, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Demolition of Landmarks and Buildings in Historic Districts]

Ordinance amending City Planning Code, to set forth a new definition of, and procedures for, demolition. (Supervisors Bierman, Ammiano)

File 115-95-3, Ordinance No.

(Amends Sections 1005 and 1006.6.)

(City Planning Resolution No. 13932, adopted August 3, 1995.)
(Exemption/Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Underground District No. 310, Presidio Heights]

Ordinance amending Ordinance No. 178-94, which amended Ordinance No. 220-79, to redefine Underground District No. 310, Presidio Heights District, by requiring that all aerial utility facilities in this district, including those located on private property or in rear easements, be placed underground, and by requiring property owners to provide and maintain the underground supporting structures on their property. (Department of Public Works)

File 52-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted

[Liquor License, 350 Seventh Avenue]

Resolution determining that the issuance of a Type 21 off-sale general license to Smart and Final for store at 350 Seventh Avenue, will serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions. (Housing and Land Use Committee)

File 223-96-2, Resolution No. 199-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Bierman assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Passed for Second Reading

[Newspaper Theft]

Ordinance amending Police Code, to prohibit the unauthorized removal of newspapers from newsracks, storefronts and residential properties. (Supervisors Shelley, Leal)

File 121-96-3, Ordinance No.

(Adds Section 630.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

Rereferred to Committee

[Appointment]

Resolution appointing member to the Bay Area Library and Information System Advisory Board, for the new two-year term ending December 31, 1997. (Rules Committee)

File 92-96-4, Resolution No.

(James Chaffee, Seat No. 21301, public-at-large and underserved residents in system, vice Donna Miller Casey, term expired.)

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted

[Misuse of Disabled Placard]

Resolution implementing Vehicle Code 22511.57 to establish a violation for misuse of a disabled placard when the placard has been reported lost, stolen or issued to person since deceased. (Supervisors Shelley, Kaufman, Migden, Ammiano, Yaki, Teng, Leal, Bierman, Kennedy)

File 190-96-1, Resolution No. 195-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

In connection with the above item, Supervisors Kaufman, Migden, Ammiano, Yaki, Teng, Leal, Bierman, Kennedy requested to be added as co-sponsors.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

August Longo, Disability Awareness Day;
Michael Petrelis, condoms for gay men;
Leboriae P. Smoore, police brutality;
Lois Roberts, library information referral services fee;
Philip Palmer, Community Bank of the Bay;
Richard Schulke, animal control, pit bull problem;
Cecil Adams, Community Bank of the Bay;
Jesus Gumson, employment issues;
Jo Ann Hendrix, corruption in federal government;
male speaker, ballpark issue;
Joe Braverman, hostile behavior.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is

adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commend Herb Caen]

Resolution commending Herb Caen, columnist for the San Francisco Chronicle, on the occasion of his 80th birthday on April 3, 1996. (Supervisors Leal, Migden, Kaufman, Bierman, Alioto, Shelley, Ammiano, Teng, Yaki, Kennedy)

File 6-96-25, Resolution No. 189-96

(February 12, 1996 - Introduced in Board for consideration on February 26, 1996.)

Supervisor Leal, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

In connection with the above item, Supervisors Ammiano, Teng, Yaki, Kennedy requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Supporting State Legislation - AB 2242]

Resolution supporting AB 2242 regarding sidewalk food display counters and urging the State Legislature to approve passage. (Supervisors Kaufman, Migden, Teng, Leal, Yaki)

File 12-96-10, Resolution No. 191-96

(February 20, 1996 - Introduced in Board for consideration on February 26, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Leal, Yaki requested to be added as co-sponsors.

[OCC/SFPD Early Warning System]

Resolution urging the Police Commission adopt an "Early Warning" system to reduce potential misconduct problems in the Police Department. (Supervisors Ammiano, Teng, Yaki, Bierman)

File 207-96-3, Resolution No. 196-96

(February 20, 1996 - Introduced in Board for consideration on February 26, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki, Bierman requested to be added as co-sponsors.

[Citywide School Health Plan]

Resolution supporting the development of a citywide school health plan that will serve as a framework for program development and resource allocation at all public school sites and will also serve as a guide for public agencies in serving children in the parochial and independent school systems within San Francisco. (Supervisors Yaki, Ammiano, Bierman, Hsieh, Kennedy, Leal, Migden, Shelley, Kaufman, Alioto, Teng)

File 211-96-3, Resolution No. 197-96

(February 20, 1996 - Introduced in Board for consideration on February 26, 1996.)

Adopted.

In connection with the above item, Supervisors Alioto, Teng requested to be added as co-sponsors.

[Human Rights Commission]

Resolution requesting that the Human Rights Commission consider and recommend to the Board of Supervisors ways by which businesses offering domestic partner benefits to their employees could receive favorable consideration when city contracts are awarded. (Supervisors Ammiano, Migden, Leal, Bierman, Alioto, Teng, Yaki)

File 232-96-1, Resolution No. 198-96

(February 20, 1996 - Introduced in Board for consideration on February 26, 1996.)

Adopted.

In connection with the above item, Supervisors Alioto, Teng, Yaki requested to be added as co-sponsors.

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. (Supervisors Shelley, Teng, Bierman)

File 270-95-6.5

(February 20, 1996 - Introduced in Board for consideration on February 26, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano)

File 30-96-1.3

(February 20, 1996 - Introduced in Board for consideration on February 26, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-9, Resolution No. 188-96

(Michael Hardeman, Commissioner, Port of San Francisco, February 22 - 23; Doris M. Ward, Assessor, Assessor's Office, March 1 - 5, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

[Imperative Resolution]

[Welcome Labor Forum]

Resolution welcoming the participants of a public forum on Sprint/La Conexion Familiar labor concerns to San Francisco on February 27, 1996.

File 006-96-028, Resolution No. 190-96

Supervisors Shelley, Leal, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Hsieh - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Sick Leave/Vacation Benefits Transfer]

Ordinance amending Administrative Code Section 16.9-29 relating to the transfer of sick leave and vacation benefits to catastrophically ill employees, by eliminating the limitation on the maximum number of hours that can be transferred to an employee for any single catastrophic illness. Supervisors Kennedy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 097-96-008.01.

Referred to Board

[Disabilities Acts (ADA, IDEA)]

Resolution supporting the American with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA) and urging the Advisory Commission on Intergovernmental Relations not to support recommendations which weaken the ADA or the IDEA. Supervisors Leal, Yaki, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 4, 1996.

File 013-96-006.

[Summer Youth Employment]

Resolution urging the United States Congress and the President to restore funding for the summer and year-round youth employment programs and to give this matter a high priority in the current budget negotiations. Supervisors Yaki, Kennedy, Ammiano, Migden, Kaufman, Bierman, Leal, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 4, 1996.

File 013-96-007.

[Office of Citizen Complaints Quarterly Report]

Receipt of the first quarterly report submitted by the Office of Citizen Complaints (to be referred to the Health, Public Safety and Environment Committee pursuant to Charter Section 3.530-2). Scheduled for Board meeting of March 4, 1996, by direction of the President at the request of Supervisor Ammiano.

File 227-96-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 115-96-004. [Mission Bay Nonconforming Uses Text Amendment] Ordinance amending Planning Code by amending Section 983(e)(3) to provide a 25-year nonconforming use termination period beyond the current 10-year termination period for fully enclosed warehouse buildings east of Third Street. (Department of City Planning) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 033-96-002. [Appointment, Port Commission] Resolution confirming Mayor's appointment of James R. Herman to the San Francisco Port Commission. (Mayor) Referred to Rules Committee.

File 038-96-005. [Gift Acceptance, Police Department] Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, a redistribution gift of four (4) utility vehicles from the U.S. Department of Defense. (Police Commission. Referred to Government Efficiency/Labor Committee.

File 146-96-005. [State Grant, Immunization Information System] Resolution authorizing the Department of Public Health, Community Public Health Services to accept and expend a grant of \$180,000 from the State Department of Health Services to develop an immunization information system; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-96-006. [Grant, Centralized Substance Abuse Treatment] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to accept and expend an augmentation to a grant up to the amount of \$1,262,373 which excludes indirect costs from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs to provide centralized substance abuse treatment enhancement and placement services in San Francisco as part of the "San Francisco Target Cities Project"; waiving indirect costs and providing for action previously taken. (Also see File 146-93-58) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that City Attorney prepare ordinance amending Municipal Code, Part III, Article 7, Section 515, to fund the Museum of the City of San Francisco from the Hotel Room Tax Fund.

By Supervisor Kennedy, that letter be sent to Karen Patterson-Matthew, Executive Director, Bayview Hunterpoint Foundation, requesting report regarding the status of the Critical Incident Response Team and the status of the Advisory Committee to the Critical Incident Response Team.

By Supervisor Kennedy, that letter be sent to his Honor, Mayor Brown, indicating the Board of Supervisors' support of the Community Bank of the Bay as stated in Resolution 483-95 and urging his attention and support in matching Oakland's equity investment of \$1,000,000 and their grants assistance of \$50,000.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Stephanie Alioto Wilhelm (Supervisor Alioto)
Juan Pedro Gaffney (Supervisor Alioto)
Vincent John Mullins (Supervisor Bierman)

File 2-96-9

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:33 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 18, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, March 4, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco



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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 4, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Kennedy - 1.

Quorum present.

Supervisor Kennedy excused. (See infra.)

Supervisor Kennedy Excused

The Clerk stated Supervisor Kennedy requested to be excused from attending today's meeting because of illness.

Supervisor Kaufman, seconded by Supervisor Teng, moved to excuse Supervisor Kennedy.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, February 5, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Fire Department]

Ordinance appropriating \$1,600,000, Fire Department, of 1992 Fire Protection Bond interest earnings, for a capital improvement project (design and architectural projects for various fire stations), for fiscal year 1995-96; placing \$558,000 on reserve. (Controller)

File 101-95-45, Ordinance No. 91-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$25,352, Police Department, of General Fund salaries for the creation and deletion of one (1) position for fiscal year 1995-96 (reclassify Class 9205A, Airport Communications Coordinator). (Supervisor Shelley)

File 101-95-51, Ordinance No. 92-96

Finally passed.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of one (1) position, 8245N Communications Manager SFPD and the deletion of one (1) position, 9205A Airport Communications Coordinator; companion measure to File 101-95-51. (Supervisor Shelley)

File 102-95-14, Ordinance No. 96-96

Finally passed.

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$380,942, Police Department, of General Fund salaries for the creation and deletion of twelve (12) positions for fiscal year 1995-96. (Controller)

File 101-95-53, Ordinance No. 93-96

Finally passed.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) reflecting the creation of twelve (12) positions (Classifications Q60N Lieutenant (11), 0395N Assistant Chief of Police (1), and the deletion of twelve (12) positions (Classifications Q50A Sergeant (11), 0400A Deputy Chief (1); companion measure to File 101-95-53. (Department of Human Resources)

File 102-95-13, Ordinance No. 95-96

Finally passed.

[Appropriation, Police Department]

Ordinance appropriating \$183,200, Police Department, of Narcotics Forfeiture and Asset Seizure Funds to purchase laboratory equipment for fiscal year 1995-96; placing \$183,200 on reserve. (Controller)

File 101-95-54, Ordinance No. 94-96

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Demolition of Landmarks and Buildings in Historic Districts]

Ordinance amending City Planning Code, to set forth a new definition of, and procedures for, demolition. (Supervisors Bierman, Ammiano)

File 115-95-3, Ordinance No. 97-96

(Amends Sections 1005 and 1006.6.)

(City Planning Resolution No. 13932, adopted August 3, 1995.)
(Exemption/Exclusion from Environmental Review.)

Finally passed.

[Underground District No. 310, Presidio Heights]

Ordinance amending Ordinance No. 178-94, which amended Ordinance No. 220-79, to redefine Underground District No. 310, Presidio Heights District, by requiring that all aerial utility facilities in this district, including those located on private property or in rear easements, be placed underground, and

by requiring property owners to provide and maintain the underground supporting structures on their property. (Department of Public Works)

File 52-96-1, Ordinance No. 98-96

Finally passed.

Recommendation of Rules Committee

Finally Passed

[Newspaper Theft]

Ordinance amending Police Code, to prohibit the unauthorized removal of newspapers from newsracks, storefronts and residential properties. (Supervisors Shelley, Leal)

File 121-96-3, Ordinance No. 99-96

(Adds Section 630.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Julia Bontempi v. CCSF]

Ordinance authorizing settlement of litigation of Julia Bontempi against the City and County by payment of \$9,000. (City Attorney)

File 45-96-8, Ordinance No.

(Superior Court No. 967-530.)

Passed for second reading.

[Kevin B. Williams v. CCSF]

Ordinance authorizing settlement of litigation of Kevin B. Williams against the City and County, Gerald Costanzo, John J. Walsh, Herman Alcade, Terry Jourgenson, Peter Jamero and Edwin Lee by payment of \$65,000. (City Attorney)

File 45-96-9, Ordinance No.

(U.S.C.A. No. 93-16090 and California Court of Appeals No. A070423.)

Passed for second reading.

[Riva Mintz v. CCSF]

Ordinance authorizing settlement of litigation of Riva Mintz against the City and County by payment of \$25,000. (City Attorney)

File 45-96-10, Ordinance No.

(Superior Court No. 956-066.)

Passed for second reading.

[Progressive Insurance Co. v. CCSF]

Ordinance authorizing settlement of litigation of Progressive Insurance Company against the City and County by payment of \$8,000. (City Attorney)

File 45-96-12, Ordinance No.

(S.F. Municipal Court No. 117744.)

Passed for second reading.

[Troy J. Scalise v. CCSF]

Ordinance authorizing settlement of litigation of Troy J. Scalise against the City and County by payment of \$20,000. (City Attorney)

File 45-96-13, Ordinance No.

(Superior Court No. 950-383.)

Passed for second reading.

[Wright v. Contreras]

Ordinance authorizing settlement of litigation of Willie Wright v. Fernando Jose Contreras, et al. by payment of \$15,000. (City Attorney)

File 45-96-14, Ordinance No.

(Superior Court No. 953-700.)

Passed for second reading.

Adopted

[Settlement of Claim, Claude and Valarie Cooper]

Resolution approving the settlement of the unlitigated claim of Claude and Valarie Cooper by payment of \$8,750. (City Attorney)

File 48-96-8, Resolution No. 207-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Proposition 200 - March 26th election]

Resolution opposing California State Proposition 200, which places limitations on attorneys and citizens' liberties by restricting tort liability. (Supervisors Alioto, Kennedy)

File 60-96-1, Resolution No. 208-96

(February 26, 1996 - Consideration continued to March 4, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Kennedy - 1.

[Proposition 202 - March 26th election]

Resolution opposing California State Proposition 202, which places limitations on attorneys and citizens' liberties by restricting attorney contingent fees. (Supervisors Alioto, Kennedy)

File 60-96-1.2, Resolution No. 210-96

(February 26, 1996 - Consideration continued to March 4, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Kennedy - 1.

From Health, Public Safety and Environment Committee
Without Recommendation

Adopted

[Proposition 201 - March 26th election]
Resolution opposing California State Proposition 201, which places limitations on attorneys and citizens' liberties by discouraging shareholder actions. (Supervisors Alioto, Kennedy)

File 60-96-1.1, Resolution No. 209-96

(February 26, 1996 - Consideration continued to March 4, 1996.)

Ayes: Supervisors Alioto, Ammiano, Bierman, Leal, Migden, Shelley, Teng, Yaki - 8.

Noes: Supervisors Hsieh, Kaufman - 2.

Absent: Supervisor Kennedy - 1.

Recommendation of Housing and Land Use Committee

Finally Passed

[Zoning Map Amendment, Lakeside Subdivision]
Ordinance amending City Planning Code by amending the Zoning Map of the City and County for certain properties in the Lakeside Subdivision, generally bounded by Eucalyptus Drive on the north and Junipero Serra Boulevard and 19th Avenue on the east, south and west, all of Assessor's Blocks 7228, 7229, 7229A, 7230, 7232, 7233, 7234, 7235, 7238, 7238A, 7239, 7239A, 7240, 7240A, 7241, 7242, and 7243, and all of Assessor's Block 7231 except Lot 3, all of Assessor's Block 7236 except Lot 1, all of Assessor's Block 7237 except Lot 9, and all of Assessor's Block 7244 except Lot 17 from a 40-X Height and Bulk District to a 28-X Height and Bulk District. (Department of City Planning)

File 36-95-8, Ordinance No. 90-96

(City Planning Resolution No. 14024, adopted December 7, 1995.)
(General Rule Exclusion from Environmental Review.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Registrar of Voters]
Ordinance appropriating \$141,521, Registrar of Voters, from the General Fund Reserve for salaries, fringe benefits, other current expenses and equipment for the creation of one (1) position for fiscal year 1995-96. (Controller)

File 101-95-52, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Salary Ordinance Amendment, Registrar of Voters]
Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Registrar of Voters, reflecting the creation of one (1) position (Classification 1819N, MIS Specialist III); companion measure to File 101-95-52. (Department of Human Resources)

File 102-95-11, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Appropriation, Airport]
Ordinance appropriating \$14,188,100, Airport, of interest earnings from various capital improvement project and bond funds of the Airport to various capital improvement projects (Five Year Capital Projects Plan and Master Plan Projects), for fiscal year 1995-96; placing \$8,892,599 on reserve. (Controller)

File 101-95-56, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Appropriation, Fire Department]
Ordinance appropriating \$597,410, Fire Department, of 1992 Fire Protection Bond Proceeds (Proposition C), for various capital improvement projects, for fiscal year 1995-96; placing \$215,000 on reserve. (Controller)

File 101-95-57, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Appropriation, Airport]
Ordinance appropriating \$801,000, Airport, of Narcotics Forfeiture and Asset Seizure Fund Revenues to purchase equipment to enhance the Narcotics Interdiction Program for fiscal year 1995-96; placing \$390,359 on reserve. (Controller)

File 101-95-58, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Airport Revenue Bonds]
Resolution approving the issuance of up to \$82,300,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Bonds for the purpose of financing the Master Plan

Mitigation Noise Insulation Program in accordance with the Master Plan Mitigation Memorandum of Understanding, together with certain infrastructure projects at San Francisco International Airport. (Airports Commission)

File 170-96-1, Resolution No. 212-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

Recommendation of Joint Budget/Housing and Land Use Committee

Adopted as Amended

[Transbay Terminal]

Resolution indicating the Board of Supervisors preference for the Main and Beale Streets at Howard Street site as the location for a replacement facility to the Transbay Transit Terminal and indicating the Board's preference for an underground CalTrain terminal extension at the current Transbay Terminal site and urging the Mayor to take those steps necessary, with CALTRANS, the Metropolitan Transportation Commission, and other parties as appropriate, to initiate project planning activities for a replacement transit terminal at the Main and Beale location; urging maximization of private sector participation and development incorporating commercial uses at the terminal and further urging the Mayor to urge the City Planning and Redevelopment staffs to continue the important Transbay Area Study land use planning effort, employing as assumptions that the existing Transbay Transit Terminal will be replaced with a new terminal at Main and Beale Streets. (Mayor, Supervisor Hsieh)

File 85-95-6, Resolution No. 200-96

Supervisor Yaki, seconded by Supervisor Hsieh, moved to amend page two, line 3, after "process" by inserting "must" and delete the "s" in "includes"; amend page two, line 18, by inserting the following further resolved clause: "Further Resolved, That the Board of Supervisors does hereby urge the Mayor to request the City Planning and Redevelopment Agency Staffs along with Caltrans, the Metropolitan Transportation Commission and other parties as appropriate, to seek to maximize private sector participation and development incorporating significant commercial uses, such as retail, entertainment or other services in the development of a transit terminal". Title amended accordingly on page one, line 15, after "Location" by inserting "; urging maximization of private sector participation and development incorporating commercial uses at the terminal".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Kennedy - 2.

Adopted as amended by the following vote:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Kaufman, Kennedy - 2.

Recommendation of Economic Vitality and Social Policy Committee

Passed for Second Reading

[Repeal of Flat Rate Airport Fare]

Ordinance amending Police Code, to delete the flat rate fare for groups of passengers traveling to or from the San Francisco International Airport. (Supervisor Kennedy)

File 121-96-4, Ordinance No.

(Amends Section 1135.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Phillip Gonzales/Rosalynnda Gonzales v. CCSF]

Ordinance authorizing settlement of litigation of Phillip Gonzales and Rosalynda Tavaréz-Gonzales against the City and County by payment of \$35,000. (City Attorney)

File 45-96-11, Ordinance No.

(San Bernardino Superior Court Nos. SC04291 and 11637.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Execution of Leases, Mayor's Office]

Ordinance amending Administrative Code, relating to execution of leases entered into by the City and County as lessee, to allow the Mayor's Director of Finance, as well as the Mayor, to execute these leases. (Real Estate Department)

File 97-96-7, Ordinance No.

(Amends Section 23.20.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Waiving Statute of Limitations]

Resolution waiving the Statute of Limitations with respect to payment of certain warrants of the City and County, in the amount of \$2,690.78 a legal obligation of the City and County. (Controller)

File 23-96-1, Resolution No. 206-96

(Alison Matsunaga, \$1,587.54; George Elkin, \$1,103.24.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Exempt Rank, Assistant Police Chief]

Resolution approving the exempt rank and position of Assistant Chief of the Police Department pursuant to Charter Section 3.530. (Police Commission)

File 102-95-15, Resolution No. 201-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Grant - State, Household Hazardous Waste]

Resolution authorizing the Chief Administrative Officer to accept and expend \$86,289 in discretionary grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs; placing \$71,250 on reserve. (Chief Administrative Officer)

File 133-96-2, Resolution No. 211-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

[Stadium Naming Rights Agreement]

Resolution approving a stadium naming rights agreement with the San Francisco 49ers ("3COM Park") for the period from February 1, 1996 through January 31, 2000. (Supervisors Ammiano, Teng, Yaki, Shelley Alioto)

File 172-96-2, Resolution No. 213-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

The President reassumed the Chair.

[Federal Grant, Mission Street Transit Project]

Resolution authorizing the Public Transportation Commission to apply for, retroactively, accept and expend up to \$1,250,000 (including local match) of Federal Transit Administration Capital Assistance Section 3 funds to carry out Livable Urban Streets-Mission Street Transit Demonstration Project Activities; placing \$1,250,000 on reserve. (Supervisors Leal, Kaufman, Alioto, Bierman, Yaki)

File 213-96-1, Resolution No. 214-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Kaufman, Alioto, Bierman, Yaki requested to be added as co-sponsors.

[Federal Grant, Municipal Railway Projects]

Resolution authorizing the Public Transportation Commission to apply for, accept, and expend \$2,161,536 of Federal Enhancement Program Assistance and \$285,047 from various local match sources such as State Transit Capital Improvement Funds, State Clean Air and Transportation Improvement Act Bond Funds, and various regional local match funds such as State Transit Assistance Funds, Transportation Development Act Funds, Bridge Toll Net Revenues, Gas Tax Revenue, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation Funds, the San Francisco County Sales Taxes, and/or Hetch Hetchy Funds for three Municipal Railway projects, including \$58,316 of indirect costs; placing \$2,324,254 on reserve. (Public Transportation Commission)

File 213-96-2, Resolution No. 215-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

[Grant - Federal Funds]

Resolution authorizing the Human Rights Commission to apply for, accept and expend retroactively, a grant of \$151,891 from the United States Department of Housing and Urban Development to provide for a

fair housing education and outreach program; placing \$69,280 on reserve. (Supervisors Shelley, Alioto)
File 230-96-1, Resolution No. 216-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

Recommendation of Select Committee on Municipal Public Power

Passed for Second Reading

[PUC - Franchises]

Ordinance amending Administrative Code, to provide that the report regarding the feasibility of municipalizing the electricity utilities distribution system in San Francisco shall be submitted by the Public Utilities Commission to the Board of Supervisors by October 30, 1996, rather than June 30, 1996. (Supervisor Alioto)

File 97-96-6, Ordinance No.

(Amends Section 11.08.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Kennedy - 1.

From the President

Report Received; Referred to Committee

[Office of Citizen Complaints Quarterly Report]

Report by the Office of Citizen Complaints, the first quarterly report required by Proposition G of November 1995. (Supervisor Ammiano)

File 227-96-2

A brief oral report and a complete written report was submitted by the department representative.

Referred to Health, Public Safety and Environment Committee by the President pursuant to Charter Section 3.530-2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the decision of the Acting Director of Public Works and Advisory Agency, by its letter dated January 29, 1996 disapproving Parcel Map of Lot 15A in Assessor's Block 661 for a 2-unit condominium conversion at 1822-24 Webster Street.

File 59-96-1

(Appeal filed February 7, 1996.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Marsha Rosenberger.

Respondents:

Denise Brady, Department of Public Works.

The President then declared the hearing closed.

From the Clerk

(Only one of the following two motions should be adopted.)

Tabled

[Parcel Map]

Motion approving decision of the Acting Director of Public Works and Advisory Agency, disapproving Parcel Map of proposed 2-unit condominium conversion of Lot 15A, in Assessor's Block 661 of property located at 1822-24 Webster Street.

File 59-96-1.1

Supervisor Teng, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal, Migden, Teng, Yaki - 8.

Absent: Supervisors Ammiano, Kennedy, Shelley - 3.

Adopted as Amended

[Parcel Map]

Motion disapproving decision of the Acting Director of Public Works and Advisory Agency, disapproving Parcel Map of proposed 2-unit condominium conversion of Lot 15A, in Assessor's Block 661 of property located at 1822 - 24 Webster Street and approving parcel map with condition.

File 59-96-1.2

Supervisor Leal, seconded by Supervisor Alioto, moved to amend title, line 5, after "Street" by inserting "and approving parcel map with condition"; amend line 14, after "disapproved" by adding "; and, be it Further Moved, That the Board of Supervisors approves the parcel map with condition that the owner obtains a variance from City Planning".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal, Migden, Teng, Yaki - 8.

Absent: Supervisors Ammiano, Kennedy, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal, Migden, Teng, Yaki - 8.

Absent: Supervisors Ammiano, Kennedy, Shelley - 3.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to parcel map of proposed 2-unit condominium conversion of Lot 15A, in Assessor's Block 661 of property located at 1822-24 Webster Street, for consideration by the Board at its next meeting.

File 59-96-1.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Teng, Yaki - 9.

Absent: Supervisors Kennedy, Shelley - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri, bond debt financing;
Leboriae P. Smoore, police brutality;

Marie Harrison, power plant at Bayview Hunters Point;
Imogene Bubbard, power plant at Bayview Hunters Point;
Frances Sanders, Municipal Railway services, rude drivers.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Disabilities Acts (ADA, IDEA)]

Resolution supporting the American with Disabilities Act (ADA) and the Individuals with Disabilities Education Act (IDEA) and urging the Advisory Commission on Intergovernmental Relations not to support recommendations which weaken the ADA or the IDEA. (Supervisors Leal, Yaki, Teng, Shelley, Alioto, Bierman, Ammiano, Kaufman, Hsieh)

File 13-96-6, Resolution No. 204-96

(February 26, 1996 - Introduced in Board for consideration on March 4, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Ammiano, Kaufman, Hsieh requested to be added as co-sponsors.

[Summer Youth Employment]

Resolution urging the United States Congress and the President to restore funding for the summer and year-round youth employment programs and to give this matter a high priority in the current budget negotiations. (Supervisors Yaki, Kennedy, Ammiano, Migden, Kaufman, Bierman, Leal, Shelley, Alioto)

File 13-96-7, Resolution No. 205-96

(February 26, 1996 - Introduced in Board for consideration on March 4, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Kennedy - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-10, Resolution No. 202-96

(Barbara Kaufman, member, Board of Supervisors, March 7 - 12; Willie B. Kennedy, member, Board of Supervisors, March 9 - 13; Michael J. Yaki, member, Board of Supervisors, March 7 - March 11; Michael S. Strunsky, Commissioner, Airports Commission, February 28 - March 1, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Kennedy - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Teng, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Kennedy - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Teng, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Kennedy - 2.

[Imperative Resolution]

Adopted

[Proclaim Weights and Measures Week]

Resolution declaring March 1-7, 1996 to be Weights and Measures Week in the City and County of San Francisco.

File 004-96-005, Resolution No. 203-96

Supervisors Teng, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Kennedy - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Myanmar, Burma]

Draft ordinance amending Administrative Code by adding Chapter 12J, Sections 12J.1 to 12J.9 to prohibit contracts for personal services with those who do business in or with Burma (Myanmar) and prohibit the purchase of commodities produced in Burma (Myanmar) or provided by those who do business in or with

Burma (Myanmar). Supervisors Ammiano, Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-96-010.

[Possessory Tax]

Draft ordinance amending Administrative Code Section 23.6.1 to require Board of Supervisors approval of all agreements potentially involving a possessory tax assessment. Supervisor Ammiano presented. Referred to Budget Committee.

File 097-96-011.

[Interim Zoning Controls, Union Square Signs]

Resolution extending for an additional twelve months Interim Zoning Controls prohibiting the approval of general advertising signs within 200 feet of the park known as Union Square and facing said park but allowing replacement signs and deleting the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of Union Square. Supervisors Bierman, Alioto presented. Referred to Housing and Land Use Committee.

File 111-95-001.01.

Referred to Board

[Cycle Messenger World Championship 1996]

Resolution supporting Cycle Messenger World Championship 1996 in San Francisco. Supervisors Migden, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 006-96-029.

[Commend Yvonne Y. Lee]

Resolution commending Yvonne Y. Lee and declaring March 15, 1996 Yvonne Y. Lee Day in San Francisco. Supervisors Teng, Hsieh, Yaki, Shelley, Alioto, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 006-96-030.

[State Legislation, SB 1964, Gender Identity]

Resolution urging the State Assembly and State Senate to enact SB 1964 relating to gender identity. Supervisors Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 012-96-011.

[Federal Funding, BART to Airport]

Resolution urging the Subcommittee on Transportation and related agencies appropriations to recommend continued funding for the BART San Francisco Airport extension in the fiscal year 1997 budget to the Committee on Appropriations of the United States House of Representatives. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 013-96-008.

Referred to Committee

[Garment Industry, HUD Guidelines]

Resolution urging the U.S. Housing and Urban Development Department to revise the underwriting criteria to allow small business owners more accessibility to the Mayor's Office of Community Development revolving loan fund. Supervisors Teng, Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee with request it be considered on March 26, 1996.

File 013-96-009.

[HIV/AIDS Prevention, Alternative Condom]

Resolution urging the Director of Public Health to take any necessary steps to make available the "female condom" to men as well as women as an additional means to prevent HIV infection. Supervisors Ammiano, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-96-002.

[Gift, Lyon Street Garden Maintenance]

Resolution accepting and acknowledging a gift of \$38,393.08 provided to the City and County by Lucille and George Jewett, Jr. for the maintenance of the permitted Lyon Street Garden during calendar year 1995 and thanking Lucille and George Jewett, Jr. for their generous and beneficial gift. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered on March 13, 1996.

File 038-96-006.

[Election, California Civil Rights Initiative]

Resolution establishing policy opposing the California Civil Rights Initiative, joining the Mayor in his efforts to oppose this measure and educate the San Francisco electorate about its negative impact on the City and County and supporting the efforts of "Freedom Summer 1996". Supervisors Teng, Leal, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 060-96-003.

[Garment Industry, MOCO Revolving Loan Fund]

Resolution establishing a minimum of one million dollars (\$1m) revolving loan fund of the U.S. Housing and Urban Development Section 108 funding to meet the needs expressed by small business owners in the garment industry. Supervisors Teng, Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee with request it be considered on March 26, 1996.

File 068-96-002.

Referred to Board

[Garment Industry Policy]

Resolution establishing a policy to retain and expand garment jobs in San Francisco and to develop an industrial policy to retain and encourage manufacturing industry in San Francisco. Supervisors Teng, Ammiano, Yaki, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 176-96-001.01.

Referred to Committee

[Moratorium, Industrial Facilities]

Resolution urging Mayor Willie L. Brown, Jr. to urge all City departments and agencies to refrain from taking, permitting or approving any action that would result in the development of any major industrial facility in the Bayview Hunters Point Community for eighteen months. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 234-96-001.

Referred to Board

[Child Custody, Sharon Bottoms]

Resolution urging the Appeals Courts of the Commonwealth of Virginia to overturn the recent court decision denying Sharon Bottoms custody of her child. Supervisors Ammiano, Migden, Leal, Alioto, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 235-96-001.

Referred to Committee

[Sexual Predator Law, AB 888]

Resolution designating the District Attorney to assume responsibility for proceedings brought under AB 888, the new State sexual predator law. Supervisors Kaufman, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 236-96-001.

Requests for Hearings:

[Municipal Railway Evening Services]

Hearing to evaluate and examine evening and night ridership on Municipal Railway buses throughout the City with the possibility of using smaller, less costly vehicles and/or re-routing of current patterns or shifting buses from low to high volume areas. Supervisor Yaki, Bierman presented. Referred to Government Efficiency/Labor Committee with request it be considered on March 26, 1996.

File 007-96-002.

[Lead Poisoning Prevention]

Hearing to consider the Lead Poisoning Prevention Citizen Advisory Committee's Annual Report. Supervisor Shelley presented. Referred to Rules Committee.

File 030-96-003.

[Health Department, Deloitte & Touche Report]

Hearing to consider the 1995 Annual Report from Deloitte and Touche Consulting Group which summarizes consulting activities performed at the Department of Public Health to enhance revenues and reduce costs. Supervisor Hsieh presented. Referred to Budget Committee.

File 030-96-004.

[New Jobs Tax Credit Extension]

Hearing to consider amending the Municipal Code, Part III, Sections 906B and 1005.6 to extend the New Jobs Tax Credit Revenue and Finance code five years to December 31, 2002. Supervisor Kaufman presented. Referred to Budget Committee.

File 127-96-002.

[Office of Medical-Examiner/Coroner]

Hearing to consider the operations, management and activities of the Office of the Chief Medical Examiner/Coroner. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 186-96-001.

[Sanchez Hill Development]

Hearing to consider the Sanchez Hill development. Supervisors Migden, Bierman presented. Referred to Housing and Land Use Committee with request it be considered on March 21, 1996.

File 238-96-001.

Motions:

Referred to Board

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. Supervisors Shelley, Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 270-95-006.06.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar March 11, 1996.

File 030-96-001.04.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-015. [Pan Marine Constructors, Inc. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Pan Marine Constructors, Inc. against the City and County of San Francisco by payment of \$26,293.30. (Superior Court No. 961-083). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-016. [Michael Lavella, v. CCSF] Ordinance authorizing settlement of litigation of Michael Lavella against the City and County of San Francisco by payment of \$25,000. (Also see File 46-96-1). (Superior Court No. 955-039). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-96-009. [Health Service Plans & Rates of Contribution] Ordinance amending Administrative Code Section 16.157, approving Health Service System Plans and Rates of Contribution as adopted by the Health Service Board. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 101-95-060. [Appropriation, Mayor's Office] Ordinance appropriating \$100,000, Mayor's Office, from the General Fund Reserve for salaries and fringe benefits for fiscal year 1995-96; placing \$13,493 on reserve. (Estimate of vested vacation and fringes). RO #95122. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-96-002. [Prop J Contract, Janitorial Services] Resolution concurring with the Controller's certification that janitorial services can be practically performed at the office of the Controller at 160 South Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Controller) Referred to Government Efficiency/Labor Committee.

File 040-96-007. [Residential Parking Area "I", Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 040-96-008. [Residential Parking Area "C", Chinatown-Nob Hill] Resolution extending the boundaries of Residential Permit Parking Area "C" in the Chinatown-Nob Hill Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 047-95-013.01. [Management Agreement, Lombard Street Garage] Resolution confirming award of the Management Agreement to Pacific Park Management, for the operation of the Lombard Street Garage. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 048-96-009. [Settlement of Claim, Oleg G. Shakhnazarov] Resolution approving the settlement of the unlitigated claim of Oleg G. Shakhnazarov by payment of \$9,500.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 133-96-003. [Local Government Commission/CIWMB Receipt] Resolution authorizing the Chief Administrative Officer (CAO) of the City and County of San Francisco to accept and expend \$7,500 from the Local Government Commission/California Integrated Waste Management Board. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that City Attorney prepare ordinance to amend the Health Code to reduce the number of members for the Lead Hazard Reduction Citizens Advisory Committee.

By Supervisors Teng, Bierman, that City Attorney prepare ordinance which would provide payroll tax credits to garment companies which have documented reinvestment in technical equipment or human resources such as retraining.

By Supervisors Yaki, Bierman, that Budget Analyst study the feasibility of a youth employment tax credit which would apply to both year-round and temporary employment of youth and its impact on the general fund.

By Supervisor Ammiano, that letter be sent to his Honor, the Mayor, inquiring whether he proposes to make appointments to the existing Small Business Advisory Commission or is it his intention to suggest creation of a new body to address the concerns of San Francisco's small and neighborhood serving businesses.

By Supervisor Bierman, that City Attorney prepare legislation which would establish the Haight Ashbury Alcoholic Beverage Special Use District in the area including Haight Street from Divisadero to Stanyan; Divisadero Street from Waller to Fulton; and Hayes Street from Divisadero to Stanyan.

By Supervisor Kaufman, that City Attorney prepare ordinance amending Municipal Code, Part III, Sections 906B and 1005.6 to extend the New Jobs Tax Credit Revenue and Finance Code five years to December 31, 2002. File 127-96-2.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mary Catherine Gaffney (Supervisor Alioto)
Christian Haren (By the entire Board)
Elbert "Pee Wee" Claybrook (By the entire Board)
Hui-Shu Zhao (Supervisor Teng)
Mr. Cheng (By the entire Board)

File 2-96-10

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:29 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 1, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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11/96
Monday, March 11, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 11, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

Quorum present.

Supervisor Ammiano excused, on official leave of absence.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kaufman excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Leal excused, on official leave of absence.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, February 12, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Registrar of Voters]

Ordinance appropriating \$141,521, Registrar of Voters, from the General Fund Reserve for salaries, fringe benefits, other current expenses and equipment for the creation of one (1) position for fiscal year 1995-96. (Controller)

File 101-95-52, Ordinance No. 102-96

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Registrar of Voters]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Registrar of Voters, reflecting the creation of one (1) position (Classification 1819N, MIS Specialist III); companion measure to File 101-95-52. (Department of Human Resources)

File 102-95-11, Ordinance No. 106-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Airport]

Ordinance appropriating \$14,188,100, Airport, of interest earnings from various capital improvement project and Bond funds of the Airport to various capital improvement projects (Five Year Capital Projects Plan and Master Plan Projects), for fiscal year 1995-96; placing \$8,892,599 on reserve. (Controller)

File 101-95-56, Ordinance No. 103-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Fire Department]

Ordinance appropriating \$597,410, Fire Department, of 1992 Fire Protection Bond Proceeds (Proposition C), for various capital improvement projects, for fiscal year 1995-96; placing \$215,000 on reserve. (Controller)

File 101-95-57, Ordinance No. 104-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Airport]

Ordinance appropriating \$801,000, Airport, of Narcotics Forfeiture and Asset Seizure Fund Revenues to purchase equipment to enhance the Narcotics Interdiction Program for fiscal year 1995-96; placing \$390,359 on reserve. (Controller)

File 101-95-58, Ordinance No. 105-96

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Julia Bontempi v. CCSF]

Ordinance authorizing settlement of litigation of Julia Bontempi against the City and County by payment of \$9,000. (City Attorney)

File 45-96-8, Ordinance No. 107-96

(Superior Court No. 967-530.)

Finally passed.

[Kevin B. Williams v. CCSF]

Ordinance authorizing settlement of litigation of Kevin B. Williams against the City and County, Gerald Costanzo, John J. Walsh, Herman Alcade, Terry Jourgenson, Peter Jamero and Edwin Lee by payment of \$65,000. (City Attorney)

File 45-96-9, Ordinance No. 100-96

(U.S.C.A. No. 93-16090 and California Court of Appeals No. A070423.)

Finally passed.

[Riva Mintz v. CCSF]

Ordinance authorizing settlement of litigation of Riva Mintz against the City and County by payment of \$25,000. (City Attorney)

File 45-96-10, Ordinance No. 108-96

(Superior Court No. 956-066.)

Finally passed.

[Progressive Insurance Co. v. CCSF]

Ordinance authorizing settlement of litigation of Progressive Insurance Company against the City and County by payment of \$8,000. (City Attorney)

File 45-96-12, Ordinance No. 109-96

(S.F. Municipal Court No. 117744.)

Finally passed.

[Troy J. Scalise v. CCSF]

Ordinance authorizing settlement of litigation of Troy J. Scalise against the City and County by payment of \$20,000. (City Attorney)

File 45-96-13, Ordinance No. 110-96

(Superior Court No. 950-383.)

Finally passed.

[Wright v. Contreras]

Ordinance authorizing settlement of litigation of Willie Wright v. Fernando Jose Contreras, et al. by payment of \$15,000. (City Attorney)

File 45-96-14, Ordinance No. 111-96

(Superior Court No. 953-700.)

Finally passed.

[Phillip Gonzales/Rosalynnda Gonzales v. CCSF]

Ordinance authorizing settlement of litigation of Phillip Gonzales and Rosalynda Tavarez-Gonzales against the City and County by payment of \$35,000. (City Attorney)

File 45-96-11, Ordinance No. 101-96

(San Bernardino Superior Court Nos. SC04291 and 11637.)

Finally passed.

[Execution of Leases, Mayor's Office]

Ordinance amending Administrative Code, relating to execution of leases entered into by the City and County as lessee, to allow the Mayor's Director of Finance, as well as the Mayor, to execute these leases. (Real Estate Department)

File 97-96-7, Ordinance No. 113-96

(Amends Section 23.20.)

Finally passed.

Recommendation of Economic Vitality and Social Policy Committee

Finally Passed

[Repeal of Flat Rate Airport Fare]

Ordinance amending Police Code, to delete the flat rate fare for groups of passengers traveling to or from the San Francisco International Airport. (Supervisor Kennedy)

File 121-96-4, Ordinance No. 114-96

(Amends Section 1135.)

Finally passed.

Recommendation of Select Committee on Municipal Public Power

Finally Passed

[PUC - Franchises]

Ordinance amending Administrative Code, to provide that the report regarding the feasibility of municipalizing the electricity utilities distribution system in San Francisco shall be submitted by the Public Utilities Commission to the Board of Supervisors by October 30, 1996, rather than June 30, 1996. (Supervisor Alioto)

File 97-96-6, Ordinance No. 112-96

(Amends Section 11.08.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Supervisors Migden, Bierman, Teng

Adopted

[Parking Regulations]

Resolution enacting parking regulation at Hampshire Street. (Housing and Land Use Committee)

File 19-96-3.1, Resolution No. 228-96

Perpendicular (90-Degree Angle) Parking - Establish
Hampshire Street, west side, between 18th and 20th Streets.

(February 26, 1996 - Consideration continued to March 11, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

From the Clerk

Adopted

[Findings - 1822-24 Webster]

Motion adopting findings related to the appeal of the decision of the Acting Director of Public Works and Advisory Agency disapproving a requested parcel map for 1822-24 Webster Street, the findings being in support of the Board's reversal of the decision of the Acting Director and the Board's approval of the parcel map of Lot 15A in Assessor's Block 661 for a 2-unit condominium conversion at 1822-24 Webster Street with conditions.

File 59-96-1.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Airport Emergency Roof Repair]

Resolution approving a Declaration of Emergency, "Super Bay Hangar" emergency roof repair, Airport Contract No. 3641, San Francisco International Airport - \$150,000. (Airports Commission)

File 27-96-3, Resolution No. 229-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

Consideration Continued

(Supervisor Bierman dissenting in Committee.)

[Gift Acceptance, Police Department]

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift of two (2) helicopters from the United States Department of Defense pursuant to the National Defense Authorization Act. (Police Department)

File 38-96-4, Resolution No.

Supervisor Teng, seconded by Supervisor Migden, moved to continue consideration to March 18, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

Recommendations of Rules Committee

Passed for Second Reading

[Tour Bus Restrictions]

Ordinance amending Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio; provisions of this ordinance shall expire on June 30, 1996. (Supervisors Shelley, Yaki, Bierman, Ammiano)

File 121-96-5.1, Ordinance No.

(Adds Section 1183.27.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

Adopted

[Appointment/Maternal, Child and Adolescent Health Board]

Resolution appointing member to the Maternal, Child and Adolescent Health Board. (Rules Committee)

File 92-94-27.5, Resolution No. 218-96

(Judith Levine, vice herself, (Seat No. 22813, must be nutritionist) term expired, for a new three-year term ending August 31, 1998.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

[Appointments, Telecommunications Policy Committee]

Resolution appointing members to the Telecommunications Policy Committee, terms expired, for new two-year terms ending February 1, 1998. (Rules Committee)

File 92-95-48.1, Resolution No. 219-96

(Sybil Boutillier, vice herself, (Seat No. 21607, public-at-large); Carole Roberts, vice herself, (Seat No. 21609, educational community.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

[Appointment, Port Commission]

Resolution confirming Mayor's appointment of James R. Herman to the San Francisco Port Commission. (Mayor)

File 33-96-2, Resolution No. 230-96

(Vice Anne Halsted, term expired, for term ending May 1, 1999.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

Appointment of President Pro Tempore

At the request of the President, Supervisor Alioto assumed the Chair so the President could participate in the debate from the floor.

Adopted as Amended

[Lobos Creek Conservation]

Resolution urging the Mayor to urge the Planning Commission to exercise its discretionary review authority to conduct public hearings on certain permit applications, subject to specified exceptions, for property within a Lobos Creek Conservation Area, to create a permanent program for review of certain land use activities on property within this Conservation Area, and to work with city agencies, commissions, and departments and the federal government to exercise management practices that protect Lobos Creek from governmental activities, and requesting the Department of City Planning to provide a report on the establishment of a discretionary review process for certain permit applications within this Conservation Area. (Supervisors Shelley, Alioto)

File 233-96-1, Resolution No. 217-96

Supervisor Shelley, seconded by Supervisor Migden, moved to amend page five, line nine, after "March" by inserting "14".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ernestine Weiss, downtown development versus park;
Marti Knight, Councilwoman, Burlingame, Bart to Airport funding;
Dr. Nancy J. Cross, Bart to Airport funding;
Dan McNamara, Bart to Airport funding;
Jon Twichell, Bart to Airport funding;
Norman Rolfe, Bart to Airport funding;
Bruce Belcher, Bart to Airport funding.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Federal Funding, BART to Airport]

Resolution urging the Subcommittee on Transportation and related agencies appropriations to recommend continued funding for the BART San Francisco Airport extension in the fiscal year 1997 budget to the Committee on Appropriations of the United States House of Representatives. (Supervisors Shelley, Alioto)

File 13-96-8, Resolution No. 227-96

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

The President resumed the Chair.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Garment Industry Policy]

Resolution establishing a policy to retain and expand garment jobs in San Francisco and to develop an industrial policy to retain and encourage manufacturing industry in San Francisco. (Supervisors Teng, Ammiano, Yaki, Bierman, Alioto, Shelley)

File 176-96-1.1, Resolution No. 231-96

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Cycle Messenger World Championship 1996]

Resolution supporting Cycle Messenger World Championship 1996 in San Francisco. (Supervisors Migden, Bierman, Alioto)

File 6-96-29, Resolution No. 221-96

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

[Commend Yvonne Y. Lee]

Resolution commending Yvonne Y. Lee and declaring March 15, 1996 Yvonne Y. Lee Day in San Francisco. (Supervisors Teng, Hsieh, Yaki, Shelley, Alioto, Bierman, Kaufman)

File 6-96-30, Resolution No. 222-96

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

[State Legislation, SB 1964, Gender Identity]

Resolution urging the State Assembly and State Senate to enact SB 1964 relating to gender identity. (Supervisors Ammiano, Alioto, Teng, Bierman)

File 12-96-11, Resolution No. 226-96

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Child Custody, Sharon Bottoms]

Resolution urging the Appeals Courts of the Commonwealth of Virginia to overturn the recent court decision denying Sharon Bottoms custody of her child. (Supervisors Ammiano, Migden, Leal, Alioto, Bierman, Kaufman, Teng, Yaki)

File 235-96-1, Resolution No. 232-96

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki requested to be added as co-sponsors.

[Local Emergency, December 1995 Storms]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the December 1995 storms. (Supervisors Shelley, Teng, Bierman)

File 270-95-6.6

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Yaki)

File 30-96-1.4

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

In connection with the above item, Supervisor Yaki requested to be added as co-sponsor.

[Final Map, 369-371 Hayes Street/270 Linden Street]

Motion approving final map of 369-371 Hayes Street/270 Linden Street, a Condominium Project, being a resubdivision of Lot 11 in Assessor's Block 816, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-6

(February 26, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

[Final Map, 1700 Jones Street]

Motion approving final map of 1700 Jones Street, a Condominium Project, being a resubdivision of Lot 9 in Assessor's Block 150, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-7

(March 4, 1996 - Introduced in Board for consideration on March 11, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-11, Resolution No. 220-96

(Michael S. Strunsky, Commissioner, Airports Commission, March 6 - 10, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Bierman, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Bierman, seconded by Supervisor Alioto, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

[Imperative Resolutions]

Adopted

[Commendation]

Resolution commending the Delancy Street Foundation and Golden Gate University for creating and designating the Delancy Street Foundation as a college campus.

File 006-96-031, Resolution No. 223-96

Supervisors Shelley, Migden, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

[Commend Bob Lawless]

Resolution commending Bob Lawless for his commitment and contributions to people with HIV in San Francisco and to the San Francisco City Clinic and declaring March 15, 1996 Bob Lawless Day in San Francisco.

File 006-96-032, Resolution No. 224-96

Supervisors Teng, Ammiano, Bierman, Yaki presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

[Commend Brava! Women in the Arts]

Resolution commending BRAVA! Women in the Arts on the occasion of its acquisition of the former York Theater to establish the new BRAVA Theater Center, Mission District and proclaiming March 14, 1996 as "BRAVA! For Women in the Arts Day" in San Francisco.

File 006-96-033, Resolution No. 225-96

Supervisors Leal, Yaki, Bierman, Teng, Migden presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Migden, Shelley, Teng, Yaki - 6.

Absent: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Vehicle Alarms]

Substitute ordinance amending Police Code by amending Section 3703 to decrease the length of time an audible vehicle alarm system may sound. Supervisor Shelley presented. Referred to Rules Committee.

File 121-94-010.

[Friends of the Library Agreement, Lease, MOU]

Ordinance approving a memorandum of understanding between the San Francisco Public Library and the Friends of the San Francisco Public Library for use of space in the new main library building for the performance of library-related services, generation of revenues for Library Department purposes, and assurance of private funds to provide support on an ongoing basis for the San Francisco Public Library System; and authorizing and approving certain agreements directly with such non-profit corporation as contemplated by such MOU, including a lease of office space and a lease of gift store space. Supervisors Kaufman, Migden presented. Referred to Government Efficiency/Labor Committee with request it be considered on March 26, 1996.

File 065-96-003.

[City Seal Authorization, Affinity Programs]

Ordinance amending Administrative Code by adding Section 1.6-B authorizing the Clerk of the Board, upon recommendation of the Chief Administrative Officer to approve the use of the City Seal on the face of San Francisco affinity credit cards and San Francisco affinity pre-paid phone cards promoting the City and allowing San Francisco Affinity credit and pre-paid phone cards inscribed with the City Seal to be offered for sale. Supervisors Migden, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-96-012.

Referred to Board

[Commend City College]

Resolution commending City College of San Francisco on the occasion of its sixtieth anniversary and declaring the week of March 25th through March 31st City College of San Francisco Week. Supervisors Teng, Bierman, Yaki, Migden, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 18, 1996.

File 006-96-034.

Referred to Committee

[School-to-Career Opportunities Act]

Resolution supporting SB 643, the School-to-Career Opportunities Act and directing the State Legislative Representative to work towards strengthening the Act and furthering its passage. Supervisor Shelley presented. Referred to Rules Committee.

File 012-96-012.

[Renaming Health Centers]

Resolution renaming Health Centers #1, #3, #4 and #5 to the Castro-Mission Health Center, the Silver Avenue Family Health Center, the Chinatown Public Health Center and the Ocean-Park Health Center, respectively. Supervisor Shelley presented. Referred to Rules Committee.

File 030-96-005.

[Call-in Telephone System]

Resolution declaring it to be a policy of the City and County of San Francisco that the capability for a call-in telephone system for Board meetings be developed and instructing the Clerk of the Board to oversee the implementation of a call-in telephone system. Supervisor Shelley presented. Referred to Rules Committee with request it be considered at the March 19, 1996 meeting.

File 054-96-002.

Referred to Board

[Appointment]

Resolution appointing Supervisor Willie B. Kennedy as a member and Supervisors Sue Bierman and Tom Ammiano as alternate members to the General Assembly, Association of Bay Area Governments. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar March 18, 1996.

File 092-96-012.

[Appointment]

Resolution appointing Supervisor Barbara Kaufman as a member of the Board of Directors, Golden Gate, Highway and Transportation District. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar March 18, 1996.

File 092-96-013.

Requests for Hearings:

[Lake Merced]

Hearing to consider issues regarding Lake Merced. Supervisor Shelley presented. Referred to Rules Committee.

File 188-96-002.

[Gang-related Rapes]

Hearing to consider the recent incidents of gang-related rapes in the City and County of San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 207-96-004.

Motions:

Referred to Board

[State of Health Care Report]

Report by Director of the Department of Public Health concerning the State of Health Care in the City. Supervisor Shelley presented. Scheduled for Board meeting of April 15, 1996, Special Order 3:00 p.m., by direction of the President.

File 030-96-006.

[Extend Time to Meet and Confer]

Motion extending time for negotiations pursuant to Charter Section 3.100-2 relating to salaries, benefits and working conditions and to extend the date for final passage of ordinance on May 2, 1996. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 18, 1996.

File 106-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-96-004. [Airport North Terminal Concession Lease] Ordinance approving the "North Terminal California Products Shop Lease" between Marilla Chocolate Company Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 027-96-005. [Airport Lease Modification, Delta Airlines, Inc.] Ordinance approving Modification No. 5 of Lease and Use Agreement between Delta Airlines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 101-95-061. [Appropriation, Fire Department] Ordinance appropriating \$3,907,900, Fire Department, of 1986 Fire Protection Bond interest earnings for various capital improvement projects (repair Fireboat Phoenix, motorized AWSS control valve, AWSS storage tank, and AWSS facilities) for fiscal year 1995-96. RO #95120. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 010-96-001. [Encroachment Permit, Perry/Third Streets] Resolution granting revocable permission to Nibbi Brothers, general contractors, to temporarily close and occupy the northerly sidewalk and a portion of the street area on Perry Street, 237.50 feet easterly of Third Street, during construction operations at 401-433 Third Street (Block 3763, Lots 82, 83, 85, 86, 89, 90, 91, 114, 115). (Department of Public Works) Referred to Housing and Land Use Committee.

File 213-96-003. [Grants, Municipal Railway and Port Projects] Resolution authorizing the Public Transportation Commission to retroactively apply for, accept and expend \$71,488,041 of Federal Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Section 3, and Section 9 operating and capital assistance, and \$679,000 of State Transit Capital Improvement Funds, State Traffic Systems Management Funds, State-Local Partnership Program and \$6,947,400 from various local match sources such as from State Transit Assistance Funds, Transportation Development Act Funds, Bridge Toll Net Revenues, Regional Measure One Funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation, Funds, and/or San Francisco County Transportation Sales Taxes for twelve Municipal Railway projects, and one Port of San Francisco project including \$2,115,602 of indirect costs. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Pat Jackson (By the entire Board)
Casey Adair (Supervisor Migden)
Manuel Saucedo (Supervisor Leal)

File 2-96-11

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:11 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 1, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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3/18/96
Monday, March 18, 1996

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BOARD OF SUPERVISORS

Monday, March 18 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Noted absent at first roll call:

Supervisor Leal - 1.

Quorum present.

Supervisor Leal excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Ammiano, moved that the Journals of Proceedings for Tuesday, February 20 and Monday, February 26, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

Presentation of Guests

Supervisor Kennedy introduced and welcomed a group of Bayview Hunters Point residents who are participating in the Aboriginal Blackman Unlimited's construction skills training center program at the Hunters Point Shipyard. The Program is sponsored in part by the San Francisco Energy Company.

Supervisor Ammiano introduced and welcomed a representative from our Sister City Esteli, Nicaragua. Speaking through an interpreter the high school teacher conveyed the message of continued focus on strengthening relationships between the cities and presented greetings from the Mayor of Esteli, Dr. Ulises Gonzalez.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair for a brief period.

The President resumed the Chair.

CONSENT CALENDAR

Recommendation of Rules Committee

Finally Passed

[Tour Bus Restrictions]

Ordinance amending Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio; provisions of this ordinance shall expire on June 30, 1996. (Supervisors Shelley, Yaki, Bierman, Ammiano)

File 121-96-5.1, Ordinance No. 115-96

(Adds Section 1183.27.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs, 46th Avenue and Vicente Street]

Resolution designating 46th Avenue and Vicente Street as an all-way "Stop" intersection. (Supervisor Shelley)

File 18-96-2, Resolution No. 236-96

(Stop Signs - Establish

46th Avenue and Vicente Street, northwest and southeast corners, stopping 46th Avenue, making this an all-way stop.)

Adopted.

[Stop Signs, 46th Avenue and Ulloa Street]

Resolution designating 46th Avenue and Ulloa Street as an all-way "Stop" intersection. (Supervisor Shelley)

File 18-96-3, Resolution No. 237-96

(Stop Signs - Establish

46th Avenue and Ulloa Street, northwest and southeast corners, stopping 46th Avenue, making this an all way stop.)

Adopted.

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-96-5, Resolution No. 238-96

(Stop Signs - Establish

26th and Minnesota Streets, northwest and southeast corners, stopping Minnesota Street traffic (makes this a 2-way STOP).

Cameron Way and Fitzgerald Street, northwest corner, stopping Cameron Way traffic (stops the stem of this T-intersection).

Castro and Chenery Streets, northwest corner, stopping Castro Street traffic (stops the stem of this T-intersection).

Diamond Heights Boulevard and Carnelian Way, stopping eastbound left turns from Diamond Heights Boulevard (stops all approaches except eastbound through movement).

Idora Avenue and Laguna Honda Boulevard, northeast and southwest corners, stopping Idora Avenue traffic (makes this a 2-way Stop).

Prospect and Coso Avenues, southeast corner, stopping Prospect Avenue traffic (stops the stem of this T-intersection).)

Adopted.

[Parking Regulations, Turk/Laguna Streets]

Resolution rescinding parking regulations at Turk Street. (Housing and Land Use Committee)

File 19-96-4, Resolution No. 239-96

(Tow-Away, No Parking Anytime - Rescind

Turk Street, south side, from 260 feet to 510 feet east of Laguna Street (250-foot zone, to be replaced by a red zone).

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting traffic regulations on various streets. (Housing and Land Use Committee)

File 20-96-4, Resolution No. 240-96

(No U-Turns - Establish

Clarendon Avenue, eastbound, at Dellbrook Avenue.

Clarendon Avenue, eastbound, at Olympia Way.

Clarendon Avenue, eastbound, at Panorama Drive.
Clarendon Avenue, westbound, at Galewood Circle.
Clarendon Avenue, westbound, at Johnstone Drive.
Clarendon Avenue, westbound, at Oak Park Drive.
Clarendon Avenue, westbound, at median opening approximately 500 feet east of Olympia Way.

Yield Sign - Establish

Clipper Street and Diamond Heights Boulevard, southwest corner, facing eastbound Clipper Street (presently uncontrolled.)

Adopted.

[Residential Parking Area "J", Sunset/Parnassus]

Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-4, Resolution No. 244-96

Adopted.

[Residential Parking Area "S", Duboce Triangle]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-5, Resolution No. 245-96

Adopted.

[Residential Parking Area "V", Balboa Park]

Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-6, Resolution No. 246-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Adopted as Amended

(Supervisor Bierman dissenting in Committee.)

[Gift Acceptance, Police Department]

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, a gift of two (2) helicopters from the United States Department of Defense pursuant to the National Defense Authorization Act for a one year pilot program and providing for review. (Police Department)

File 38-96-4, Resolution No. 242-96

(March 11, 1996 - Consideration continued to March 18, 1996.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to amend title, line five, after "Act" by adding "for a one year pilot program and providing for review"; amend line 14, after "Defense" by adding "for a one year pilot program to be reviewed by the Board of Supervisors and the citizens of San Francisco at the end of the pilot program".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Leal - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Board of Supervisors]

Ordinance appropriating \$169,000, Board of Supervisors, from Board Reserve to purchase equipment necessary to provide gavel to gavel coverage of Board meetings for fiscal year 1995-96. (Controller)

File 101-95-23, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

[Appropriation, Police Department]

Ordinance appropriating \$317,095, Police Department, of Traffic Offender Fund Revenues to salaries, fringe benefits, contractual services, materials and supplies, equipment and services of other departments to conduct a traffic safety program for fiscal year 1995-96; providing for ratification of action previously taken and placing \$35,000 on reserve. (Controller)

File 101-95-33, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

[Appropriation, Mayor's Office]

Ordinance appropriating \$100,000, Mayor's Office, from the General Fund Reserve for salaries and fringe benefits for fiscal year 1995-96; placing \$13,493 on reserve (estimate of vested vacation and fringes). (Mayor)

File 101-95-43, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

[Appropriation, Rent Arbitration Board]

Ordinance appropriating \$78,279, Rent Arbitration Board, of Rent Arbitration Board funds for salaries, management consulting services and other professional services for the Rent Arbitration Board for fiscal year 1995-96. (Controller)

File 101-95-59, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

Adopted

[Emergency Repair, Golden Gate Avenue and Capp Street Sewer]
Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Golden Gate Avenue between Arguello Boulevard and Willard Street, north and in Capp Street between Adair Street and 152 feet northerly - \$192,030.
(Department of Public Works)

File 28-96-3, Resolution No. 241-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

[Gift, Lyon Street Garden Maintenance]
Resolution accepting and acknowledging a gift of \$38,393.08, provided to the City and County by Lucille and George Jewett, Jr., for the maintenance of the permitted Lyon Street Garden during the calendar year 1995, and thanking Lucille and George Jewett, Jr., for their generous and beneficial gift.
(Supervisor Kaufman)

File 38-96-6, Resolution No. 243-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Office of Affordable Housing Production Program]
Ordinance amending Planning Code, extending the duration of the Office of Affordable Housing Production Program Ordinance, extending the expiration date of interim guidelines credits, allocating \$100,000 from the Affordable Housing Fund to update and expand studies showing the relationship between office and other commercial development and housing demand, adding findings on the City's current housing needs and the validity of the formula for housing production requirements for new office development, and providing for an evaluation of the Ordinance. (Supervisors Migden, Bierman and Teng)

File 115-95-16, Ordinance No.

(Adds Section 313.)

(City Planning Resolution No. 14013, adopted November 16, 1995.)
(General Rule Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

[Zoning Map Amendment, 2789 - 25th Street]

Ordinance adopting changes in land use classification as an amendment to the Zoning Map of the City and County for property located at 2789 - 25th Street, Lot 13 in Assessor's Block 4277 from "P" Public Use District to M-1, Light Industrial District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-96-1, Ordinance No.

(City Planning Resolution No. 14048, adopted January 25, 1996.)
(Exempt from Environmental Review, General Rule Exclusion.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

[Oakdale Ave/Quint Street Affordable Housing Special Use District]

Ordinance amending Planning Code, to create the Oakdale Avenue and Quint Street Affordable Housing Special Use District, and finding consistency with Planning Code Section 101.1. (Department of City Planning)

File 115-96-3, Ordinance No.

(Adds Section 249.16.)

(City Planning Resolution No. 14045, adopted January 25, 1996.)
(Exempt from Environmental Review, General Rule Exclusion.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

[Zoning Map Amendments, Oakdale Avenue/Quint Street]

Ordinance adopting changes in property use districts reclassification as amendments to the Zoning Map of the City and County, concerning properties located at the southeasterly corner of Oakdale Avenue and Quint Street, Lots 14 and 15 in Assessor's Block 5320 from an RH-2 (Residential House, Two-Family) District to an RH-2 District and the Oakdale Avenue and Quint Street Affordable Housing Special Use District; and finding consistency with the Master Plan priority policies in Section 101.1 of the City Planning Code; companion measure to File 115-96-3. (Department of City Planning)

File 36-96-2, Ordinance No.

(City Planning Resolution No. 14045, adopted January 25, 1996.)
(Exempt from Environmental Review under General Rule Exclusion.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

[Tour Bus Restrictions]

Ordinance amending Police Code, adding to the list of streets upon which a tour bus restriction shall apply; portions of Green Street (between Polk and Mason) and Vallejo Street (between Polk and Mason). (Supervisors Teng and Bierman)

File 121-96-5, Ordinance No.

(Adds Sections 1183.27 and 1183.28.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Leal - 1.

[Commercial Vehicle Weight Restrictions]

Ordinance amending Traffic Code, adding to the list of streets upon which a commercial vehicle weight restriction shall apply; portions of Green Street (between Polk and Mason) and Vallejo Street (between Polk and Mason). (Supervisors Teng, Bierman)

File 124-96-3, Ordinance No.

(Adds Sections 28.5.49 and 28.5.50.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

Adopted

[Liquor License, 1229 Cortland Avenue]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to John O. Aghedo for the Nevada Market, located at 1229 Cortland Avenue, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-4, Resolution No. 249-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

[Liquor License, Pier 39, Space G-11]

Resolution determining that the issuance of a Type 21 off-sale general alcohol beverage control license to Monika D. Steiner for Pier 39, Space G-11, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-5, Resolution No. 250-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

[Liquor License, 584 Pacific Avenue]

Resolution determining that the issuance of a Type 40 on-sale beer license to Jeffrey Oxenhorn for Korox, Inc. dba Dark Horse Coffee, located at 584 Pacific Avenue, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-6, Resolution No. 251-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Keith McHenry, helicopter, police repression;
Leboriae P. Smoore, police brutality;
Jesus Gumban, employment discrimination;
Constance E. Kuruppv, police violence;
Carol Ann, police helicopter;
female speaker, police stalking;

Rodney, ballpark;
Lumir J. Cerny, weeds and overgrown plants, property line issue.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Appointment]

Resolution appointing Supervisor Barbara Kaufman as a member of the Board of Directors, Golden Gate, Highway and Transportation District. (Clerk of the Board)

File 92-96-13, Resolution No. 248-96

(March 11, 1996 - Introduced in Board for consideration on March 18, 1996.)

Supervisor Kaufman Excused from Voting

On advice of the City Attorney, Supervisor Kaufman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Migden, seconded by Supervisor Teng, moved to excuse Supervisor Kaufman from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Migden, Shelley, Teng, Yaki - 9.

Excused: Supervisor Kaufman - 1.

Absent: Supervisor Leal - 1.

[Commend City College]

Resolution commending City College of San Francisco on the occasion of its sixtieth anniversary and declaring the week of March 25th through March 31st City College of San Francisco Week. (Supervisors Teng, Bierman, Yaki, Migden, Shelley, Alioto, Kaufman, Hsieh, Kennedy)
File 6-96-34, Resolution No. 235-96

(March 11, 1996 - Introduced in Board for consideration on March 18, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Hsieh, Kennedy requested to be added as co-sponsors.

[Appointment]

Resolution appointing Supervisor Willie B. Kennedy as a member and Supervisors Sue Bierman and Tom Ammiano as alternate members to the General Assembly, Association of Bay Area Governments. (Clerk of the Board)

File 92-96-12, Resolution No. 247-96

(March 11, 1996 - Introduced in Board for consideration on March 18, 1996.)

Adopted.

[Final Map, 68 McCoppin Street]

Motion approving final map of 68 McCoppin Street, a Condominium Project, being a resubdivision of Lot 48 in Assessor's Block 3504, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-8

(March 11, 1996 - Introduced in Board for consideration on March 18, 1996.)

Adopted.

[Extend Time to Meet and Confer]

Motion extending time for negotiations pursuant to Charter Section 3.100-2 relating to salaries, benefits and working conditions and to extend the date for final passage of ordinance on May 2, 1996. (Supervisor Shelley)

File 106-96-1

(March 11, 1996 - Introduced in Board for consideration on March 18, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-12, Resolution No. 234-96

(Willie Lewis Brown, Jr., Mayor, March 15 - 19; Mabel Teng, member, Board of Supervisors, March 30 - April 3; Michael S. Strunsky, Commissioner, Airports Commission, March 15 - 17, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Leal - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, SB1255 Disproportionate Share]

Ordinance appropriating \$20,000,000, Public Health-San Francisco General Hospital, to participate in the SB1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1995-96; funded from miscellaneous Health Department revenues. Supervisors Hsieh, Alioto presented. Referred to Budget Committee with request it be considered on March 27, 1996.

File 101-95-068.

[Library Foundation Lease]

Ordinance approving a memorandum of understanding between the San Francisco Public Library and the

Library Foundation of San Francisco for use of space in the new Main Library building for the performance of library-related services, generation of revenues for Library Department purposes and assurance of private funds to provide support on an ongoing basis for the San Francisco Public Library system; and authorizing and approving certain agreements directly with the Library Foundation as contemplated by such MOU, including a lease of office space and an agreement giving the Foundation the right to manage the meeting rooms, auditorium and other space for private functions and special events and to charge fees for such uses. Supervisors Kaufman, Alioto presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 9, 1996 meeting.

File 065-96-005.

[Political Consultants Reporting/Ethics Standards]

Draft ordinance establishing new requirements and regulations for political consultants doing business in the City and County of San Francisco. Supervisors Ammiano, Teng, Yaki, Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-96-013.

Referred to Board

[Lobos Creek Moratorium Rescission]

Resolution rescinding Board of Supervisors' Resolution No. 48-96 concerning interim zoning controls that imposed the Lobos Creek Conservation District moratorium extension. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 111-94-001.04.

[National Gun Violence Prevention Week]

Resolution proclaiming March 31, 1996 through April 4, 1996 "National Gun Violence Prevention Week" in San Francisco. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 004-96-006.

[Commend Carole Migden]

Resolution commending Honorable Carole Migden for her service on the Board of Supervisors and for her service to the people of the City and County of San Francisco. Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 006-96-035.

[Commend Richard Avanzino]

Resolution commending Mr. Richard Avanzino on the occasion of his 20th anniversary as President of the San Francisco Society for the Prevention of Cruelty to Animals and for his visionary and innovative approach for the care of animals; and urging his Honor, the Mayor, to award Mr. Avanzino with the St. Francis of Assisi Award for his many contributions to the City and County of San Francisco. Supervisors Alioto, Kaufman, Migden, Ammiano, Yaki, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 006-96-036.

[Kids Voting USA]

Resolution commending Kids Voting USA for developing a future generation of voters who will regard voting as vital to American life. Supervisors Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 006-96-037.

[State Legislation, AB 638, SB 2136, SB 1900]

Resolution opposing AB 638, SB 2136 and SB 1900 relating to concealed weapons. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 012-96-013.

[FBI Vietnamese-American Recruitment Project]

Resolution communicating serious concerns to the Federal Bureau of Investigation (FBI) regarding their project recruiting Vietnamese-American emigres to report on "spies" in their community and supporting the Southeast Asian Community Center's protest against this project. Supervisors Yaki, Ammiano

presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 013-96-010.

[Relocation of SSA's Region IX Offices]

Resolution urging the Social Security Administration to reconsider the proposal to relocate the SSA's Region IX offices from San Francisco to the Western Program Services in Richmond, California. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 013-96-011.

[Immigrants' Rights]

Resolution urging support for the efforts throughout California and across the nation to defend the rights of immigrants. Supervisors Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 013-96-012.

[Election, Proposition 203, Education Bond]

Resolution supporting Proposition 203, Education Bond, on the March 26, 1996 statewide ballot. Supervisors Teng, Kaufman, Ammiano, Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 060-96-004.

[Vencor/Hillhaven Labor Dispute]

Resolution calling upon Vencor (Hillhaven) to resolve their labor dispute in a manner that is consistent with the highest quality patient care and harmonious labor relations and to employ adequate staff to ensure prompt care and provide proper training; and urging the Mayor to urge the Health Services Commission to notify plan holders of any contracts for skilled nursing facilities providing "subacute" services and providing a choice of alternative nursing homes upon request; and forwarding a copy of this resolution to San Francisco's State Legislators. Supervisors Shelley, Alioto, Ammiano, Bierman, Migden, Yaki, Teng, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 176-96-002.

[Lobos Creek Protection, City Agencies]

Resolution urging the Mayor to urge City agencies, commissions and departments to adopt and implement construction management practices to protect Lobos Creek from potential adverse impacts of governmental activities and construction work within the vicinity of Lobos Creek. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 233-96-002.

[Lobos Creek Protection, National Park Service]

Resolution requesting the National Park Service to adopt and implement construction management practices to protect Lobos Creek from potential adverse impacts of governmental activities and construction work within the Presidio in the vicinity of Lobos Creek and requesting the Clerk of the Board of Supervisors to transmit a copy of this resolution to the appropriate federal officials. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 233-96-003.

Requests for Hearings:

[Litigation, Overman v. San Francisco]

Report on the status of pending litigation of Overman versus San Francisco (Superior Court No. 970-936). Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee with request it be considered on March 26, 1996.

File 045-96-018.

[Litigation, Slade v. Stephens]

Report on the status of pending litigation of Slade versus Stephens (U. S. District Court No. 95-0675-SI). Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee with request it be considered on March 26, 1996.

File 045-96-019.

[Disability Access, New Superior Court House]

Hearing to examine the level of compliance with all applicable laws for disabled access at the new Superior Court House currently under construction at McAllister and Polk Streets. Supervisor Yaki presented. Referred to Housing and Land Use Committee.

File 198-96-001.

Motions:

Referred to Board

[Closed Session]

Motion that the Board of Supervisors meet in closed session with the City Attorney to determine whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 59456.9. Supervisors Ammiano, Alioto presented. Scheduled for Board meeting of April 1, 1996 by direction of the President.

File 032-96-001.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 25, 1996.

File 030-96-001.05.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-017. [Morales v. CCSF] Ordinance authorizing settlement of litigation of Epitacia Morales against the City and County of San Francisco by payment of \$40,000. (Superior Court No. 966-482). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 062-96-001. [Lake Merced Restaurant/Bar Lease Amendment] Ordinance approving lease amendment with the Lake Merced Restaurant and Bar, extending the agreement to May 31, 2002. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 065-96-004. [Land Lease, SFUSD - PTC] Ordinance authorizing and approving a thirty-five year lease with the San Francisco Unified School District, of certain school district property, located at Newcomer High School; and ratifying previous actions. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 090-96-001. [Landmark, North End Police Station/Garage] Ordinance designating the North End Police Station and Garage as Landmark No. 218 pursuant to Article 10 of the City Planning Code. (Department of City Planning) (City Planning Resolution No. 14066, adopted 3/7/96.) (Landmarks Preservation Advisory Board Resolution No. 479, adopted 9/20/95.) Referred to Housing and Land Use Committee.

File 093-95-001.01. [Amendment to MOU, Staff and Per Diem Nurses] Ordinance amending Ordinance No. 178-95 to implement the terms of an amendment to the Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County of San Francisco for Staff Nurse and Per Diem Nurses extending the duration of the Memorandum of Understanding through June 30, 1997. (Also see Files 103-95-1 and 103-95-2). Referred to Government Efficiency/Labor Committee.

File 101-95-062. [Appropriation, Police Department-OCC] Ordinance appropriating \$71,133, Police Department, from the General Fund Reserve for professional services, rent, other current expenses, materials and supplies and services of other departments for the relocation of the Office of Citizen Complaints for fiscal year 1995-96 (accommodate new staff required per Proposition G). RO #95169. (Controller) Referred to Budget Committee.

File 101-95-063. [Appropriations, Airport] Ordinance appropriating \$563,000, Airport, of San Francisco Airport Operating Funds for salaries and mandatory fringe benefits for the creation of thirty seven (37) positions to support the implementation of the Master Plan for fiscal year 1995-96; companion measure to File 102-95-17. RO #95170. (Controller) Referred to Budget Committee.

File 101-95-064. [Appropriation, Airport] Ordinance appropriating \$671,000, Airport, of San Francisco Airport Operating Funds for overtime to support increased security mandated by the Federal Aviation Administration for fiscal year 1995-96. RO #95171. (Controller) Referred to Budget Committee.

File 101-95-065. [Appropriation, Department of Human Resources] Ordinance appropriating \$485,500, Department of Human Resources, from the General Fund Reserve for salaries, fringe benefits, professional services and services of other departments for the creation of ten (10) positions to provide the department with additional support for labor negotiations for fiscal year 1995-96; companion measure to File 102-95-16. RO #95172. (Controller) Referred to Budget Committee.

File 101-95-066. [Appropriation, Tax Collector/Treasurer/Assessor] Ordinance appropriating \$571,428, Tax Collector/Treasurer and Assessor, from the General Fund Reserve for salaries and mandatory fringe benefits to implement an Arbitrator's Award increasing rates of pay of Real Property Auditors and Appraisers retroactive to July 1994 for fiscal year 1995-96. RO #95173. (Controller) Referred to Budget Committee.

File 101-95-067. [Appropriation, Airport] Ordinance appropriating \$81,065,500, Airport, of 1992 Airport Revenue Bond proceeds for capital improvements and professional services to implement the Master Plan Mitigation Noise Insulation Program for fiscal year 1995-96. RO #95174. (Controller) Referred to Budget Committee.

File 102-95-016. [Salary Ordinance Amendment, DHR] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Department of Human Resources, reflecting the creation of ten (10) positions (Classifications 1244 Senior Personnel Analyst (2), 1242 Personnel Analyst (2), 1818 MIS Specialist II (1), 1832 Senior Administrative Analyst (1), 1426 Senior Clerk Typist (1), 1281 Employee Relations Representative (1), 1203 Personnel Technician (2)); companion measure to File 101-95-65. (Department of Human Resources) Referred to Budget Committee.

File 102-95-017. [Salary Ordinance Amendment, Airport] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Airport, reflecting the creation of thirty-seven (37) positions (Classifications 1368 Special Assistant IX (1), 1370 Special Assistant XI (1), 1404 Clerk (1), 1424 Clerk Typist (1), 1426 Sr. Clerk Typist (1), 1632 Sr. Account Clerk (1), 1764 Mail/Reproduction Service Supt. (1), 1802 Research Assistant (1), 1844 Sr. Management Assistant (2), 3554 Associate Registrar (1), 7334 Stationary Engineer (2), 7335 Sr. Stationary Engineer (1), 7342 Locksmith (1), 7347 Plumber (2), 7348 Steamfitter (2), 9203 Sr. Airport Comm. Dispatcher (2), 9209 Police Service Aide (12), 9222 Airport Operations Coordinator (3)); companion measure to File 101-95-63. (Department Human Resources) Referred to Budget Committee.

File 155-96-001. [Reward Authorization] Ordinance authorizing payment of reward to Doe One. (Mayor) Referred to Budget Committee.

Resolutions Referred to Committee

File 040-96-009. [Residential Parking Area "U", South of Market] Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-96-010. [Settlement of Claim, Gary and Anita Godwin] Resolution approving the settlement of the unlitigated claim of Gary and Anita Godwin by payment of \$12,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 089-96-001. [SDI Coverage, 1364 Special Assistant V] Resolution authorizing enrollment of classification 1364 Special Assistant V into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 089-96-002. [SDI Coverage, 1362 Special Assistant III] Resolution authorizing enrollment of classification 1362 Special Assistant III into the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 143-96-001. [Alcoholic Beverage Control Grant Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to retroactively apply for, accept, and expend funds in the amount of One Hundred Thousand Dollars (\$100,000.00) for a project known as the "Alcoholic Beverage Control Grant Program" and agreeing to provide a cash match in the amount of Forty Nine Thousand Seven Hundred Sixty-Three (\$49,763.00) Dollars. (Police Commission) Referred to Government Efficiency/Labor Committee.

File 172-96-004. [Paratransit Broker Contract Amendment] Resolution approving amendment to Paratransit Broker Agreement with Cerenio Management Group. (Also see File 172-91-5). (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Director, Department of Parking and Traffic, requesting a comprehensive report that includes the current existing locations in the City and County of San Francisco that have tour bus restrictions.

By Supervisor Kennedy, that letter be sent to Alcoholic Beverage and Control requesting a report which

includes demographic information on the number of liquor, beer and wine licenses issued in the City and County of San Francisco, as well as the locations.

By Supervisor Kennedy, that City Attorney prepare legislation which would impose a moratorium on issuance of liquor, beer and wine licenses until a study or report is compiled which includes demographic information on the number of liquor, beer and wine licenses issued in the City and County of San Francisco, as well as the locations.

By Supervisor Shelley, that City Attorney prepare ordinance to extend the Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise ordinance.

By Supervisor Shelley, that City Attorney prepare legislation to place a bond measure on the November ballot concerning improvements to the DeYoung Museum.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

William C. Blake (By the entire Board)
Chris Christensen (By the entire Board)
Ti-Wuh Wang (By the entire Board)

File 2-96-12

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:40 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 15, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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3/25/96
Monday, March 25, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 25, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 9.

Noted absent at first roll call:

Supervisors Alioto, Kennedy - 2.

Quorum present.

Supervisor Kennedy was noted present at 2:09 p.m.

Presentation of Guests

Supervisor Teng introduced and welcomed a delegation of women representatives of the Guangzhou Municipal People's Congress of the People's Republic of China.

There being no objection, the privilege of the floor was granted to Chairperson Ms. Du Mei Xian who extended greetings from China and indicated the purpose of their visit is to strengthen friendship between the two countries.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Bierman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Adopted

[Gift Acceptance, Police Department]

Resolution authorizing the Chief of Police to accept, on behalf of the Police Department, a redistribution gift of four utility vehicles from the U.S. Department of Defense. (Police Commission)

File 38-96-5, Resolution No. 268-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 9.

Noes: Supervisor Bierman - 1.

Absent: Supervisor Alioto - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Board of Supervisors]

Ordinance appropriating \$169,000, Board of Supervisors, from Board Reserve to purchase equipment necessary to provide gavel to gavel coverage of Board meetings for fiscal year 1995-96. (Controller)

File 101-95-23, Ordinance No. 116-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Police Department]

Ordinance appropriating \$317,095, Police Department, of Traffic Offender Fund Revenues to salaries, fringe benefits, contractual services, materials and supplies, equipment and services of other departments to conduct a traffic safety program for fiscal year 1995-96; providing for ratification of action previously taken and placing \$35,000 on reserve. (Controller)

File 101-95-33, Ordinance No. 117-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$100,000, Mayor's Office, from the General Fund Reserve for salaries and fringe benefits for fiscal year 1995-96; placing \$13,493 on reserve (estimate of vested vacation and fringes). (Mayor)

File 101-95-43, Ordinance No. 118-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Rent Arbitration Board]

Ordinance appropriating \$78,279, Rent Arbitration Board, of Rent Arbitration Board funds for salaries, management consulting services and other professional services for the Rent Arbitration Board for fiscal year 1995-96. (Controller)

File 101-95-59, Ordinance No. 119-96

(Fiscal Impact.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Office of Affordable Housing Production Program]

Ordinance amending Planning Code, extending the duration of the Office of Affordable Housing Production Program Ordinance, extending the expiration date of interim guidelines credits, allocating \$100,000 from the Affordable Housing Fund to update and expand studies showing the relationship between office and other commercial development and housing demand, adding findings on the City's current housing needs and the validity of the formula for housing production requirements for new office development, and providing for an evaluation of the Ordinance. (Supervisors Migden, Bierman and Teng)

File 115-95-16, Ordinance No. 120-96

(Adds Section 313.)

(City Planning Resolution No. 14013, adopted November 16, 1995.)
(General Rule Exclusion from Environmental Review.)

Finally passed.

[Zoning Map Amendment, 2789 - 25th Street]

Ordinance adopting changes in land use classification as an amendment to the Zoning Map of the City and County for property located at 2789 - 25th Street, Lot 13 in Assessor's Block 4277 from "P" Public Use District to M-1, Light Industrial District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-96-1, Ordinance No. 121-96

(City Planning Resolution No. 14048, adopted January 25, 1996.)
(Exempt from Environmental Review, General Rule Exclusion.)

Finally passed.

[Oakdale Ave/Quint Street Affordable Housing Special Use District]
Ordinance amending Planning Code, to create the Oakdale Avenue and Quint Street Affordable Housing Special Use District, and finding consistency with Planning Code Section 101.1. (Department of City Planning)

File 115-96-3, Ordinance No. 122-96

(Adds Section 249.16.)

(City Planning Resolution No. 14045, adopted January 25, 1996.)
(Exempt from Environmental Review, General Rule Exclusion.)

Finally passed.

[Zoning Map Amendments, Oakdale Avenue/Quint Street]
Ordinance adopting changes in property use districts reclassification as amendments to the Zoning Map of the City and County, concerning properties located at the southeasterly corner of Oakdale Avenue and Quint Street, Lots 14 and 15 in Assessor's Block 5320 from an RH-2 (Residential House, Two-Family) District to an RH-2 District and the Oakdale Avenue and Quint Street Affordable Housing Special Use District; and finding consistency with the Master Plan priority policies in Section 101.1 of the City Planning Code; companion measure to File 115-96-3. (Department of City Planning)

File 36-96-2, Ordinance No. 125-96

(City Planning Resolution No. 14045, adopted January 25, 1996.)
(Exempt from Environmental Review under General Rule Exclusion.)

Finally passed.

[Tour Bus Restrictions]
Ordinance amending Police Code, adding to the list of streets upon which a tour bus restriction shall apply; portions of Green Street (between Polk and Mason) and Vallejo Street (between Polk and Mason). (Supervisors Teng and Bierman)

File 121-96-5, Ordinance No. 123-96

(Adds Sections 1183.27 and 1183.28.)

Finally passed.

[Commercial Vehicle Weight Restrictions]
Ordinance amending Traffic Code, adding to the list of streets upon which a commercial vehicle weight restriction shall apply; portions of Green Street (between Polk and Mason) and Vallejo Street (between Polk and Mason). (Supervisors Teng, Bierman)

File 124-96-3, Ordinance No. 124-96

(Adds Sections 28.5.49 and 28.5.50.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Pan Marine Constructors, Inc. v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Pan Marine Constructors, Inc. against the City and County by payment of \$26,293.30. (City Attorney)

File 45-96-15, Ordinance No.

(Superior Court No. 961-083.)

Passed for second reading.

[Michael Lavella v. CCSF]

Ordinance authorizing settlement of litigation of Michael Lavella against the City and County by payment of \$25,000. (City Attorney)

File 45-96-16, Ordinance No.

(Superior Court No. 955-038.)

Passed for second reading.

Adopted

[Settlement of Claim, Oleg G. Shakhnazarov]

Resolution approving the settlement of the unlitigated claim of Oleg G. Shakhnazarov by payment of \$9,500.00. (City Attorney)

File 48-96-9, Resolution No.

Adopted.

[Grant - State Funds]

Resolution authorizing the Chief Administrative Officer to accept and expend \$7,500 from the Local Government Commission/California Integrated Waste Management Board for waste prevention educational materials. (Chief Administrative Officer)

File 133-96-3, Resolution No. 275-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendation of Budget Committee

Passed for Second Reading

[Appropriation, Fire Department]

Ordinance appropriating \$3,900,223, Fire Department, of 1986 Fire Protection Bond interest earnings for various capital improvement projects (repair Fireboat Phoenix, motorized AWSS control valve, AWSS storage tank, and AWSS facilities) for fiscal year 1995-96; placing \$3,269,850 on reserve. (Controller)

File 101-95-61, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

Recommendations of Economic Vitality and Social Policy Committee

Passed for Second Reading

[Sick Leave/Vacation Benefits Transfer]

Ordinance amending Administrative Code, relating to the transfer of sick leave and vacation benefits to catastrophically ill employees, by eliminating the limitation on the maximum number of hours that can be transferred to an employee for any single catastrophic illness. (Supervisors Kennedy, Alioto, Teng)

File 97-96-8.1, Ordinance No.

(Amends Section 16.9-29.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[1996-1997 Children's Services Plan]

Resolution approving the Children's Services Plan (CSP) for the San Francisco Children's Fund in accordance with Charter Section 6.415. (Supervisors Kennedy, Teng)

File 185-95-3, Resolution No. 256-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Arbitrator's Award, Local 21]

Ordinance adopting and implementing the provisions of an arbitrator's award interpreting the provisions of the Memorandum of Understanding regarding the compensation of 5273 Principal Architect; 5270 Senior Architect, 5268 Architect; 5266 Architectural Associate II; 5265 Architectural Associate I and 5274 Landscape Architect, between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County, to be effective retroactive to July 1, 1993 through June 30, 1997. (Department of Human Resources)

File 93-96-1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

[Health Service Plans and Rates of Contribution]

Ordinance amending Administrative Code, approving Health Service System Plans and Rates of Contribution as adopted by the Health Service Board. (Department of Human Resources)

File 97-96-9, Ordinance No.

(Amends Section 16.157.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

Adopted

[Management Agreement, Lombard Street Garage]

Resolution confirming award of the Management Agreement to Pacific Park Management, for the operation of the Lombard Street Garage. (Real Estate Department)

File 47-95-13.1, Resolution No. 255-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

[Prop J Contract, Janitorial Services]

Resolution concurring with the Controller's certification that janitorial services can be practically performed at the office of the Controller at 160 South Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Controller)

File 25-96-2, Resolution No. 266-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

[State Grant, Immunization Information System]

Resolution authorizing retroactively, the Department of Public Health, Community Public Health Services to accept and expend a grant of \$180,000 from the State Department of Health Services to develop an immunization information system; waiving indirect costs. (Supervisors Leal, Shelley, Alioto, Teng)

File 146-96-5, Resolution No. 276-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Rules Committee

Passed for Second Reading-

[Vehicle Alarms]

Ordinance amending Police Code, to decrease the length of time (from 15 to 5 minutes) an audible vehicle alarm system may sound. (Supervisors Shelley, Alioto, Kaufman, Teng)

File 121-94-10, Ordinance No.

(Amends Section 3703.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisors Kaufman, Teng requested to be added as co-sponsors.

Adopted

[Renaming Health Centers]

Resolution renaming Health Centers #1, #3, #4 and #5 to the Castro-Mission Health Center, the Silver Avenue Family Health Center, the Chinatown Public Health Center and the Ocean-Park Health Center, respectively. (Supervisors Shelley, Alioto, Teng)

File 30-96-5, Resolution No. 267-96

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted as Amended

[Call-in Telephone System]

Resolution declaring it to be a policy of the City and County that the capability for a call-in telephone system for Board meetings under the Public Comment item be developed and instructing the Clerk of the Board to oversee the implementation of a call-in telephone system. (Supervisor Shelley)

File 54-96-2, Resolution No. 270-96

Supervisor Kennedy, seconded by Supervisor Teng, moved to amend title, line three, after "meetings" by inserting "under the Public Comment item"; amend page two, line 12, after "meetings" by inserting "under the Public Comment item".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The President resumed the Chair.

Adopted

[Appointment, Airport Noise Committee]

Resolution appointing member to the Airport Noise Committee, for new three-year term ending September 30, 1996. (Rules Committee)

File 92-93-60.5, Resolution No. 252-96

(Catherine Murphy, Seat No. 20517, vice Mark Young, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng, Yaki - 10.

Absent: Supervisor Alioto - 1.

[Appointment, Maternal, Child and Adolescent Health Board]

Resolution appointing member to the Maternal, Child and Adolescent Health Board, for new three-year term ending August 31, 1998. (Rules Committee)

File 92-94-27.6, Resolution No. 253-96

(Jeanine M. Bianco, Seat No. 22815, vice Sari J. Wade, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Alioto - 1.

[Appointments, Advisory Council to Commission on the Aging]

Resolution appointing members to the Advisory Council to the Commission on the Aging, terms expiring March 31, 1996, for new two-year terms ending March 31, 1998. (Rules Committee)

File 92-96-1.1, Resolution No. 272-96

(Reeva Olson, Seat No. 20306, vice herself;
John J. Horak, Seat No. 20302, vice himself;
Florence Edelman, Seat No. 20303, vice herself;
Lena M. Leong, Seat No. 20305, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Alioto - 1.

[Appointment, Developmental Disabilities Area Board V]

Resolution appointing member to the Developmental Disabilities Area Board V, for a new three-year term ending December 31, 1998. (Rules Committee)

File 92-96-8, Resolution No. 273-96

(Michael E. Grafton, Seat No. 21901 - public-at-large, vice Barbara Turner, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Alioto - 1.

[Appointment, National Service Blue Ribbon Commission]

Resolution appointing member to the National Service Blue Ribbon Commission, for a new two year term ending June 30, 1997. (Rules Committee)

File 92-96-14, Resolution No. 274-96

(Julie Tremont, Seat No. 20410, vice Gabriela Melano, term expired.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Alioto - 1.

Conference with Labor Negotiator - Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources; George Riley, Mayor's representative and Geoff Rothman, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning the Trades and Crafts Coalition, miscellaneous employees as well as other labor relation issues, as authorized by California Government Code Section 54957.6.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley, Teng,
Yaki - 10.

Absent: Supervisor Alioto - 1.

Recess

The Board recessed at the hour of 2:37 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 2:48 p.m. reconvened.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with Wendell Pryor, Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning the Trades and Crafts Coalition, miscellaneous employees as well as other labor relation issues, as authorized by California Government Code Section 54957.6.

The meeting was informational only and no action was taken.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisors Alioto, Migden - 2.

Farewell to Supervisor Migden

The Supervisors congratulated and expressed good wishes to Supervisor Migden on her election to the California State Assembly.

On behalf of the Board of Supervisors, President Shelley presented Supervisor Migden with a Certificate of Honor and a plaque commemorating her years of service as a San Francisco Supervisor.

Supervisor Migden thanked the Board and conveyed personal, eloquent remarks to each individual Supervisor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Leboriae P. Smoore, police brutality, election slates;
female speaker, injury issue;
Howard Wallace, supports Vencor/Hillhaven resolution;
Arlene Cooper, supports Vencor/Hillhaven resolution;
Maria Griffith, supports Vencor/Hillhaven resolution;
Al Rose, youth issues, supports new ballpark;
Roland Lai, supports protest against FBI recruitment;
Linh T. Tran, supports protest against FBI recruitment;
Al Hearst, eminent domain issue;
Carol, supports protest against FBI recruitment.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Lobos Creek Moratorium Rescission]

Resolution rescinding Board of Supervisors' Resolution No. 48-96 concerning interim zoning controls that imposed the Lobos Creek Conservation District moratorium extension. (Supervisor Shelley)

File 111-94-1.4, Resolution No. 254-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

[National Gun Violence Prevention Week]

Resolution proclaiming March 31, 1996 through April 4, 1996 "National Gun Violence Prevention Week" in San Francisco. (Supervisors Shelley, Alioto, Kaufman, Leal, Teng, Yaki, Bierman, Kennedy)

File 4-96-6, Resolution No. 258-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Teng, Yaki, Bierman, Kennedy requested to be added as co-sponsors.

[Commend Carole Migden]

Resolution commending Honorable Carole Migden for her service on the Board of Supervisors and for her service to the people of the City and County of San Francisco. (Supervisors Shelley, Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki)

File 6-96-35, Resolution No. 233-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

[Commend Richard Avanzino]

Resolution commending Mr. Richard Avanzino on the occasion of his 20th anniversary as President of the San Francisco Society for the Prevention of Cruelty to Animals and for his visionary and innovative approach for the care of animals; and urging his Honor, the Mayor, to award Mr. Avanzino with the St. Francis of Assisi Award for his many contributions to the City and County. (Supervisors Alioto, Kaufman, Migden, Ammiano, Yaki, Bierman, Shelley, Leal, Teng, Kennedy)

File 6-96-36, Resolution No. 259-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Shelley, Leal, Teng, Kennedy requested to be added as co-sponsors.

[Kids Voting USA]

Resolution commending Kids Voting USA for developing a future generation of voters who will regard voting as vital to American life. (Supervisors Alioto, Bierman, Shelley, Kaufman, Leal, Teng, Yaki, Kennedy)

File 6-96-37, Resolution No. 260-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Shelley, Kaufman, Leal, Teng, Yaki, Kennedy requested to be added as co-sponsors.

[State Legislation, AB 638, SB 2136, SB 1900]

Resolution opposing AB 638, SB 2136 and SB 1900 relating to concealed weapons. (Supervisors Shelley, Alioto, Kaufman, Leal, Yaki, Bierman, Kennedy)

File 12-96-13, Resolution No. 262-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Yaki, Bierman, Kennedy requested to be added as co-sponsors.

[FBI Vietnamese-American Recruitment Project]

Resolution communicating serious concerns to the Federal Bureau of Investigation (FBI) regarding their project recruiting Vietnamese-American emigres to report on "spies" in their community and supporting the Southeast Asian Community Center's protest against this project. (Supervisors Yaki, Ammiano, Leal, Teng, Bierman, Kennedy)

File 13-96-10, Resolution No. 263-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Bierman, Kennedy requested to be added as co-sponsors.

[Relocation of SSA's Region IX Offices]

Resolution urging the Social Security Administration to reconsider the proposal to relocate the SSA's Region IX offices from San Francisco to the Western Program Services in Richmond, California. (Supervisors Yaki, Shelley, Kaufman, Leal, Bierman, Kennedy)

File 13-96-11, Resolution No. 264-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Bierman, Kennedy requested to be added as co-sponsors.

[Immigrants' Rights]

Resolution urging support for the efforts throughout California and across the nation to defend the rights of immigrants. (Supervisors Ammiano, Alioto, Kaufman, Leal, Teng, Yaki, Bierman, Kennedy)

File 13-96-12, Resolution No. 265-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Teng, Yaki, Bierman, Kennedy requested to be added as co-sponsors.

[Election, Proposition 203, Education Bond]

Resolution supporting Proposition 203, Education Bond, on the March 26, 1996 statewide ballot. (Supervisors Teng, Kaufman, Ammiano, Shelley, Alioto, Yaki, Bierman, Yaki, Bierman)

File 60-96-4, Resolution No. 271-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman requested to be added as co-sponsors.

[Vencor/Hillhaven Labor Dispute]

Resolution calling upon Vencor (Hillhaven) to resolve their labor dispute in a manner that is consistent with the highest quality patient care and harmonious labor relations and to employ adequate staff to ensure prompt care and provide proper training; and urging the Mayor to urge the Health

Services Commission to notify plan holders of any contracts for skilled nursing facilities providing "subacute" services and providing a choice of alternative nursing homes upon request; and forwarding a copy of this resolution to San Francisco's State Legislators. (Supervisors Shelley, Alioto, Ammiano, Bierman, Migden, Yaki, Teng, Hsieh, Kaufman, Leal, Kennedy)

File 176-96-2, Resolution No. 277-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Kennedy requested to be added as co-sponsors.

[Lobos Creek Protection, City Agencies]

Resolution urging the Mayor to urge City agencies, commissions and departments to adopt and implement construction management practices to protect Lobos Creek from potential adverse impacts of governmental activities and construction work within the vicinity of Lobos Creek. (Supervisors Shelley, Bierman, Kennedy)

File 233-96-2, Resolution No. 278-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Kennedy requested to be added as co-sponsors.

[Lobos Creek Protection, National Park Service]

Resolution requesting the National Park Service to adopt and implement construction management practices to protect Lobos Creek from potential adverse impacts of governmental activities and construction work within the Presidio in the vicinity of Lobos Creek and requesting the Clerk of the Board of Supervisors to transmit a copy of this resolution to the appropriate federal officials. (Supervisors Shelley, Yaki, Bierman, Kennedy)

File 233-96-3, Resolution No. 279-96

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Bierman, Kennedy requested to be added as co-sponsors.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden, Teng, Hsieh, Ammiano, Yaki)

File 30-96-1.5

(March 18, 1996 - Introduced in Board for consideration on March 25, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-13, Resolution No. 257-96

(Tom Hsieh, member, Board of Supervisors, April 8 - 9; John E. Newlin, Executive Director, Department of Parking & Traffic, April 15 - 19 and April 25 - 30, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

[Imperative Resolution]

Adopted

[Commend Cesar Chavez]

Resolution commending the Cesar Chavez Elementary School Community and muralists for creating the "Si Se Puede" mural honoring Cesar Chavez and proclaiming March 31, 1996 "Cesar Chavez Day".

File 006-96-038, Resolution No. 261-96

Supervisors Leal, Ammiano, Teng, Bierman, Yaki, Shelley, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Leal, Migden, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh, Kennedy - 3.

Committee Assignment

The President changed the membership of the Rules Committee effective only for Tuesday, March 19, 1996 as follows:

Kevin Shelley, Chair;
Tom Ammiano, Vice-Chair;
Carole Migden, member.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Public Notices, English, Chinese, Spanish]
Draft Ordinance amending Administrative Code by adding Section 67.7-1 requiring public notices mailed to residents by the City Planning Department, Department of Parking and Traffic or Department of Public Works be printed in English, Chinese and Spanish. Supervisors Teng, Kaufman, Leal, Hsieh, Bierman, Yaki, Kennedy, Ammiano, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-96-014.

[Gun Control]
Ordinance amending Police Code by amending Sections 613.1 and 613.10 relating to the sale, lease or other transfer of firearms, firearm ammunition or firearm ammunition components. Supervisors Shelley, Bierman presented. Referred to Rules Committee.

File 121-96-006.

Referred to Board

[Proclaim Sister Kathleen Healy Day]
Resolution proclaiming April 26, 1996 "Sister Kathleen Healy" Day in San Francisco. Supervisors Shelley, Teng, Kennedy, Bierman, Ammiano, Kaufman, Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 004-96-007.

[Commend Greater Geary Blvd Merchants Association]
Resolution commending the Greater Geary Boulevard Merchants Association on its Fiftieth Anniversary. Supervisors Kaufman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 006-96-039.

[Proclaim Community Development Block Grant Week]
Resolution commending the Community Development Block Grant (CDBG) Program by designating April 1 - April 7, 1996 National Community Development Week. Supervisors Shelley, Yaki, Teng, Hsieh, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 006-96-040.

[Commend Fred Lau/Asian Peace Officers Assn]
Resolution commending Fred Lau and the San Francisco Asian Peace Officers Association on the occasion of their testimonial dinner on April 6, 1996. Supervisors Teng, Hsieh, Yaki, Shelley, Bierman, Ammiano, Kennedy, Leal, Kaufman, Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 006-96-041.

[State Legislation, SB 1896, Fee Exemption]
Resolution urging the members of the State Senate Housing and Land Use Committee and San Francisco's State Senators to oppose Senate Bill 1896 relating to local fee exemptions in connection with placement of telecommunication facilities. Supervisors Bierman, Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 012-96-014.

[Semiautomatic Assault Weapons Ban]

Resolution opposing action by the U.S. House of Representatives to overturn the federal ban on semiautomatic assault weapons and urging the United States Senate and President Clinton to oppose all such legislation. Supervisors Kaufman, Shelley, Alioto. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 013-96-013.

[Appointment]

Resolution appointing Supervisor Susan Leal as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 092-96-020.

[Cultural Tourism Initiative]

Resolution endorsing the Cultural Tourism Initiative proposed to be undertaken by the San Francisco Art Commission in collaboration with the Convention and Visitors Bureau, Grants for the Arts and corresponding agencies in Los Angeles and San Diego. Supervisors Leal, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 197-96-001.

[Police Helicopter Citizens Task Force]

Resolution urging the Police Commission to appoint a citizens task force to monitor and evaluate use of police helicopters. Supervisors Ammiano, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 207-96-005.

[Police Helicopter Protocols]

Resolution urging the Police Commission to develop appropriate use protocols for the new San Francisco Police Department helicopters. Supervisors Yaki, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 1, 1996.

File 207-96-006.

Motions:

Referred to Committee

[Audit, Medical Examiner-Coroner's Office]

Motion urging the Budget Analyst to give priority to conducting a comprehensive audit of the Medical Examiner-Coroner's Office upon completion of audits currently underway. Supervisor Ammiano presented. Referred to Rules Committee.

File 165-96-002.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 046-96-005. [CCSF v. Ilitovich, et al.] Ordinance authorizing settlement of the litigation of City and County of San Francisco v. Eugenie S. Ilitovich, et al., in the amount of Seventy Three Thousand Dollars (\$73,000). (Superior Court No. 968-593). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 052-96-002. [Underground District No. 322, Alpine Terrace] Ordinance creating Underground District No. 322 in the Alpine Terrace/Museum Way District; companion measure to File 52-96-2.1 (Department of Public Works) Referred to Housing and Land Use Committee.

File 101-95-065. [Appropriation, Department of Human Resources] Substitute ordinance appropriating \$485,500, Department of Human Resources, from the General Fund Reserve for salaries, fringe benefits, professional services and services of other departments for the creation of four (4) positions to provide the department with additional support for labor negotiations for fiscal year 1995-96; companion measure to File 102-95-16. RO #95172. (Controller) Referred to Budget Committee.

File 101-95-069. [Appropriation, Superior Court] Ordinance appropriating \$2,900,000, Superior Court, of Court Special Revenue Fund to a capital improvement project for Civic Center courthouse construction for the Trial Courts for fiscal year 1995-96. RO #95179. (Controller) Referred to Budget Committee.

File 101-95-070. [Appropriation, Department of Social Services] Ordinance appropriating and rescinding \$319,895, Department of Social Services, for personal services, materials and supplies and equipment for automation projects for fiscal year 1995-96. RO #95181. (Controller) Referred to Budget Committee.

File 101-95-071. [Appropriation, Department of Public Works] Ordinance appropriating \$63,590,000, Department of Public Works, of 1996A City Hall Improvement Bond Fund proceeds for design and construction of non-seismic improvements at City Hall, for bond issuance costs for the offices of the Chief Administrative Officer, Controller and the City Attorney and for repayment of the General Fund advance for fiscal year 1995-96. RO #95182. (Controller) Referred to Budget Committee.

File 102-95-016. [Salary Ordinance Amendment, DHR] Substitute ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Department of Human Resources, reflecting the creation of four (4) positions (Classifications 1242 Personnel Analyst (1), 1818 MIS Specialist II (1), 1823 Senior Administrative Analyst (1), 1203 Personnel Technician (1)); companion measure to File 101-95-65. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-96-003. [Prop J Contract, Parking Management Services] Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996 than if work were performed by City employees at budgeted levels. (Airport) Referred to Government Efficiency/Labor Committee.

File 025-96-004. [Prop J Contract, Security Guard Services] Resolution concurring with the Controller's determination that security guard services can practically be performed at the Bureaus of Engineering and Construction Management offices at 1680 Mission Street by private contractor for a lower cost than if the services were performed by City employees. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 030-95-011.01. [Patient Day Rates] Resolution amending Resolution No. 620-95 which fixes patient day rates for services furnished by City and County health care institutions, to include patient day rates for targeted case management at San Francisco General Hospital and community public health services clinics (effective July 1, 1995), and for other skilled nursing services at San Francisco General Hospital (effective January 1, 1996). (Department of Public Health) Referred to Budget Committee.

File 033-96-003. [Appointment, Federal Legislative Representative] Resolution ratifying the Mayor's appointment of Cassidy and Associates, as a federal legislative representative for the City and County of San Francisco. (Mayor) Referred to Rules Committee with request it be considered at the Special Meeting of April 1, 1996 at 1:30 p.m.

File 052-96-002.01. [Lighting Assessment District, Alpine Terrace] Resolution determining to undertake proceedings to form an assessment district to Article 4 of Chapter 1 of the Landscaping Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in Alpine Terrace/Museum Way District; companion measure to File 52-96-2. (Department of Public Works) Referred to Housing and Land Use Committee.

File 172-96-005. [CCSF - Mission Clay Products Agreement] Resolution approving the agreement between the City and County of San Francisco and Mission Clay Products, a division of MCP Industries, Inc. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare ordinance to establish policy of informing neighborhoods of mental health and substance abuse services being offered and to accommodate neighborhood concerns to the extent possible and to repeal Administrative Code Section 15.7, site approval for mental health and substance abuse programs.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Administrator, Laguna Honda Hospital, through the Director of Public Health, to determine the feasibility of hiring more nurses and nursing assistants.

By Supervisors Kennedy, Bierman, that City Attorney review the legality of creating an ordinance which would exercise regulatory powers over businesses operating in San Francisco as franchises and otherwise so that the business license can be revoked whenever an establishment "red lines" certain neighborhoods or areas by refusing to provide service.

By Supervisors Kennedy, Bierman, that letters be sent to Golden Gate National Recreation Area, Congresswoman Nancy Pelosi, Senator Dianne Feinstein requesting that steps be taken to stop the demolition of housing in the Presidio.

Monday, March 25, 1996

By Supervisor Kennedy, that City Attorney prepare ordinance to effect the actions approved by Board of Supervisors Resolution No. 144-96 concerning lien at Booker T. Washington Community Service Center, 800 Presidio Avenue.

By Supervisor Kennedy, that City Attorney prepare resolution which would establish a sister city relationship with Capetown, South Africa.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Christine Bell (Supervisor Kennedy)
Edith Callahan (Supervisor Kennedy)
Alphonzo English, Jr. (Supervisor Kennedy)
Foster Lomar (Supervisor Kennedy)
Larry Purdom (Supervisor Kennedy)
Betty Buelteman (By the Full Board)
Perry Watkins (Supervisors Ammiano, Migden, Leal)
Tom Bean (Supervisors Ammiano, Teng, Shelley, Kennedy)

File 2-96-13

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:23 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 15, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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4/1/96
Monday, April 1, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 1, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:03 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Noted absent at first roll call:

Supervisors Shelley, Teng - 2.

Quorum present.

Supervisor Shelley excused. (See infra.)

Supervisor Teng excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Kennedy, seconded by Supervisor Leal, moved that Supervisor Alioto be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Supervisor Shelley Excused

The Clerk stated Supervisor Shelley requested to be excused from attending today's meeting because of illness.

Supervisor Kennedy, seconded by Supervisor Yaki, moved to excuse Supervisor Shelley.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Leal, moved that the Journals of Proceedings for Monday, March 4 and Monday, March 11, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

COMMUNICATION

The Clerk presented the following communication:

March 27, 1996

Mr. John L. Taylor
Clerk of the Board
Board of Supervisors
401 Van Ness Ave., Room 308
San Francisco, CA 94102

Subject: Resignation

Dear Mr. Taylor:

As I am slated to join the California State Assembly on March 28, 1996, I hereby resign from the office of member of the Board of Supervisors of the City and County of San Francisco effective on my swearing in and taking office.

I also hereby resign from the position I hold on the Board of Directors of the Golden Gate Bridge, Highway and Transportation District, and my position as Commissioner of the San Francisco County Transportation Authority.

This resignation is sent to you in accordance with the provisions of California Government Code Section 1750.

I have enjoyed working with my colleagues on the Board and with you and your staff. I am sure that we will continue to work together in the future.

Sincerely,

Carole Migden

cc: Hon. Willie L. Brown, Jr.
Hon. Kevin Shelley
Golden Gate Bridge District
San Francisco County Transportation Authority

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Fire Department]

Ordinance appropriating \$3,900,223, Fire Department, of 1986 Fire Protection Bond interest earnings for various capital improvement projects (repair fireboat Phoenix, motorized AWSS control valve, AWSS storage tank, and AWSS facilities) for fiscal year 1995-96; placing \$3,269,850 on reserve. (Controller)

File 101-95-61, Ordinance No. 127-96

Finally passed.

Passed for Second Reading

[Appropriation, Airport]

Ordinance appropriating \$81,065,500, Airport, of 1992 Airport Revenue Bond proceeds for capital improvements and professional services to allow the Airport to implement the Master Plan Mitigation Noise Insulation Program for fiscal year 1995-96. (Controller)

File 101-95-67, Ordinance No.

Passed for second reading.

[Appropriation, Department of Public Health]

Ordinance appropriating \$20,000,000 to allow San Francisco General Hospital to participate in the SB 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1995-96. Funded from miscellaneous Health Department revenues. (Supervisors Hsieh, Alioto)

File 101-95-68, Ordinance No.

Passed for second reading.

Recommendation of Economic Vitality and Social Policy Committee

Finally Passed

[Sick Leave/Vacation Benefits Transfer]

Ordinance amending Administrative Code, relating to the transfer of sick leave and vacation benefits to catastrophically ill employees, by eliminating the limitation on the maximum number of hours that can be transferred to an employee for any single catastrophic illness. (Supervisors Kennedy, Alioto, Teng)

File 97-96-8.1, Ordinance No. 131-96

(Amends Section 16.9-29.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Pan Marine Constructors, Inc. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Pan Marine Constructors, Inc. against the City and County by payment of \$26,293.30. (City Attorney)

File 45-96-15, Ordinance No. 128-96

(Superior Court No. 961-083.)

Finally passed.

[Michael Lavella v. CCSF]

Ordinance authorizing settlement of litigation of Michael Lavella against the City and County by payment of \$25,000. (City Attorney)

File 45-96-16, Ordinance No. 129-96

(Superior Court No. 955-038.)

Finally passed.

[MOU, Arbitrator's Award, Local 21]

Ordinance adopting and implementing the provisions of an arbitrator's award interpreting the provisions of the Memorandum of Understanding regarding the compensation of 5273 Principal Architect; 5270 Senior Architect, 5268 Architect; 5266 Architectural Associate II; 5265 Architectural Associate I and 5274 Landscape Architect, between the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO and the City and County, to be effective retroactive to July 1, 1993 through June 30, 1997. (Department of Human Resources)

File 93-96-1, Ordinance No. 130-96

(Fiscal Impact.)

Finally passed.

Passed for Second Reading

[Airport North Terminal Concession Lease]

Ordinance approving the "North Terminal California Products Shop Lease" between Marilla Chocolate Company Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-4, Ordinance No.

Passed for second reading.

[Morales v. CCSF]

Ordinance authorizing settlement of litigation of Epitacia Morales against the City and County by payment of \$40,000. (City Attorney)

File 45-96-17, Ordinance No.

(Superior Court No. 966-482)

Passed for second reading.

[CCSF v. Ilitovich, et al]
Ordinance authorizing settlement of the litigation of City and County v. Eugenie S. Ilitovich, et al., in the amount of Seventy Three Thousand Dollars (\$73,000). (City Attorney)

File 46-96-5, Ordinance No.

(Superior Court No. 968-593)

Passed for second reading.

Adopted

[Settlement of Claim, Gary and Anita Godwin]
Resolution approving the settlement of the unlitigated claim of Gary and Anita Godwin by payment of \$12,500. (City Attorney)

File 48-96-10, Resolution No. 290-96

Adopted.

[SDI Coverage, 1364 Special Assistant V]
Resolution authorizing enrollment of classification 1364 Special Assistant V into the State Disability Insurance Program. (Department of Human Resources)

File 89-96-1, Resolution No. 291-96

Adopted.

[SDI Coverage, 1362 Special Assistant III]
Resolution authorizing enrollment of classification 1362 Special Assistant III into the State Disability Insurance Program. (Department of Human Resources)

File 89-96-2, Resolution No. 292-96

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Residential Parking Area "I", Bartlett Street]
Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding Shotwell Street, between Twenty-Third and Twenty-Fourth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-7, Resolution No. 288-96

Adopted.

[Residential Parking Area "C", Chinatown-Nob Hill]
Resolution extending the boundaries of Residential Permit Parking Area "C" in the Chinatown-Nob Hill Area and adding Hyde Street, between Post and Sutter Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-8, Resolution No. 289-96

Adopted.

Recommendation of Rules Committee

Finally Passed

[Vehicle Alarms]
Ordinance amending Police Code, to decrease the length of time (from 15 to 5 minutes) an audible vehicle alarm system may sound. (Supervisors Shelley, Alioto, Kaufman, Teng)

File 121-94-10, Ordinance No. 126-96

(Amends Section 3703.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Consideration Continued

[Health Service Plans and Rates of Contribution]

Ordinance amending Administrative Code, approving Health Service System Plans and Rates of Contribution as adopted by the Health Service Board. (Department of Human Resources)

File 97-96-9, Ordinance No.

(Amends Section 16.157.)

Supervisor Kennedy, seconded by Supervisor Leal, moved to continue consideration to April 4, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

NEW BUSINESS

COMMITTEE REPORT

Recommendation of Rules Committee

Adopted

[Appointment, Federal Legislative Representative]

Resolution ratifying the Mayor's appointment of Cassidy and Associates, as a federal legislative representative for the City and County of San Francisco. (Mayor)

File 33-96-3, Resolution No. 287-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Tax Collector/Treasurer/Assessor]

Ordinance appropriating \$571,428, Tax Collector/Treasurer and Assessor, from the General Fund Reserve for salaries and mandatory fringe benefits to implement an Arbitrator's Award increasing rates of pay of Real Property Auditors and Appraisers retroactive to July 1994 for fiscal year 1995-96. (Controller)

File 101-95-66, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

[Reward Authorization]

Ordinance authorizing payment of reward to Doe One for supplying information leading to the arrest and conviction of the perpetrator who murdered Justine Jones, "The Haight Street Good Samaritan" on March 27, 1994. (Mayor)

File 155-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Amendment to MOU, Staff and Per Diem Nurses]

Ordinance amending Ordinance No. 178-95 to implement the terms of an amendment to the Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County for Staff Nurse and Per Diem Nurses extending the duration of the Memorandum of Understanding through June 30, 1997. (Department of Human Resources)

File 93-95-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

[Airport Lease Modification, Delta Airlines, Inc.]

Ordinance approving, retroactively, Modification No. 5 of Lease and Use Agreement between Delta Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

[Friends of the Library Agreement, Lease, MOU]

Ordinance approving a Memorandum of Understanding between the Public Library and the Friends of the Public Library for use of space in the new main library building for the performance of library-related services, generation of revenues for Library Department purposes, and assurance of private funds to provide support on an ongoing basis for the Public Library System; and authorizing and approving certain agreements directly with such non-profit corporation as contemplated by such MOU, including a lease of office space and a lease of gift store space. (Supervisors Kaufman, Migden, Alioto, Ammiano, Teng, Yaki)

File 65-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

[City Seal Authorization, Affinity Programs]

Ordinance amending Administrative Code, authorizing the Clerk of the Board, upon recommendation of the Chief Administrative Officer to approve the use of the City Seal on the face of San Francisco Affinity credit cards and San Francisco Affinity pre-paid phone cards promoting the City and allowing San Francisco Affinity credit and pre-paid phone cards inscribed with the City Seal to be offered for sale. (Supervisors Migden, Bierman, Teng, Alioto)

File 97-96-12, Ordinance No.

(Adds Section 1.6-B.)

Passed for second reading by the following vote:

Monday, April 1, 1996

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Adopted

[Alcoholic Beverage Control Grant Program]

Resolution authorizing the Chief of Police, to retroactively apply for, accept, and expend funds in the amount of One Hundred Thousand Dollars (\$100,000.00) for a project known as the "Alcoholic Beverage Control Grant Program"; waiving indirect costs. (Police Commission)

File 143-96-1, Resolution No. 294-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Appointment of President Pro Tempore

At the request of President Pro Tempore Alioto, Supervisor Kaufman assumed the Chair so the President can participate in the discussion.

Adopted as Amended

[Grant, Centralized Substance Abuse Treatment]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to accept and expend an augmentation to a grant up to the amount of \$1,262,373 which excludes indirect costs from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs to provide centralized substance abuse treatment enhancement and placement services in San Francisco as part of the "San Francisco Target Cities Project"; waiving indirect costs and providing for action previously taken; placing \$129,740 on reserve; conditions. (Supervisors Leal, Alioto)

File 146-96-6, Resolution No. 295-96

Supervisor Yaki, seconded by Supervisor Leal, moved to amend page two, line four, after "Committee" by adding "; and, be it Further Resolved, That the following conditions are imposed: 1. The Director of Public Health must reserve an additional 15% of the augmentation funds for possible expansion of treatment services pending a decision of the Department of Health and Human Services (DHHS) on our waiver request; 2. The Director of Public Health make best efforts at obtaining a "special needs" waiver from the DHHS to increase that portion of the Target Cities grant available for direct treatment services; 3. The Mayor is urged to direct our federal lobbyists, Cassidy and Associates, to make obtaining the waiver an early legislative priority and that this effort be coordinated with the Office of Representative Nancy Pelosi.". Title amended accordingly on page one, line 11, after "reserve" by inserting "; conditions".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

The President resumed the Chair.

Adopted

[Paratransit Broker Contract Amendment]

Resolution approving amendment to Paratransit Broker Agreement with Cerenio Management Group. (Supervisors Ammiano, Teng, Yaki)

File 172-96-4, Resolution No. 296-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

[Grants, Municipal Railway and Port Projects]

Resolution authorizing the Public Transportation Commission to retroactively apply for, accept and expend \$71,488,041 of Federal Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Section 3, and Section 9 operating and capital assistance, and \$679,000 of State Transit Capital Improvement Funds, State Traffic Systems Management Funds, State-Local Partnership Program and \$6,947,400 from various local match sources such as from State Transit Assistance Funds, Transportation Development Act Funds, Bridge Toll Net Revenues, Regional Measure One Funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation Funds, and/or San Francisco County Transportation Sales Taxes for twelve Municipal Railway projects, and one Port of San Francisco project including \$2,115,602 of administrative overhead; placing \$73,345,000 on reserve. (Public Transportation Commission)

File 213-96-3, Resolution No. 300-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Mission Bay Nonconforming Uses Text Amendment]

Ordinance amending Planning Code, to provide a 25-year nonconforming use termination period beyond the current 10-year termination period for fully enclosed warehouse buildings east of Third Street. (Department of City Planning)

File 115-96-4, Ordinance No.

(Amend Section 983(e)(3).)

(City Planning Resolution No. 14050, adopted 2/1/96).

(Exempt from Environmental Review, General Rule Exclusion).

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Consideration Continued

[Encroachment Permit, Perry/Third Streets]

Resolution granting revocable permission to Nibbi Brothers, general contractors, to temporarily close and occupy the northerly sidewalk and a portion of the street area on Perry Street, 237.50 feet easterly of Third Street, during construction operations at 401-433 Third Street (Block 3763, Lots 82, 83, 85, 86, 89, 90, 91, 114, 115). (Department of Public Works)

File 10-96-1, Resolution No.

Supervisor Bierman, seconded by Supervisor Kennedy, moved to continue consideration to April 8, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Adopted

[Liquor License Transfer, 401-A Judah Street]

Resolution determining that the transfer of a Type-21 off-sale general alcohol beverage control license for Alan Chan from 501 Post Street, Suite 1500 to 401-A Judah Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-8, Resolution No. 301-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Yaki - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Shelley, Teng - 2.

[Liquor License Transfer, 601 Indiana Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 548 Seventh Street to 601 Indiana Street, to Stella Wong for Y & C Enterprises, Inc. will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-9, Resolution No. 302-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Yaki - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Shelley, Teng - 2.

Refused Adoption; Rescinded;
Consideration Continued

[Liquor License, 1745 Folsom Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Jennifer Kitchen for Rainbow Grocery located at 1745 Folsom Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-10, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Alioto - 5.

Noes: Supervisors Kennedy, Leal, Yaki - 3.

Absent: Supervisors Shelley, Teng - 2.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to rescind the previous vote:

Motion to rescind the vote adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Yaki - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Shelley, Teng - 2.

Supervisor Bierman, seconded by Supervisor Kaufman, moved to continue consideration to April 8, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 7.

Noes: Supervisor Ammiano - 1.

Absent: Supervisors Shelley, Teng - 2.

Adopted

[Appeal, Minor Encroachment, 375 Rhode Island Street]

Motion upholding the appeal of a decision by the Director of Public Works, which denied the issuance of a minor sidewalk encroachment permit to legalize the construction of an existing fence, at 375 Rhode Island Street, which fence encroaches into the public right-of-way fronting the subject property, and

granting the issuance of the minor encroachment permit for the property at 375 Rhode Island Street, which will legalize the construction of an existing fence at the subject property, conditioned upon the City being able to rescind the permit at the time of any development to adjacent property. (Housing and Land Use Committee)

File 24-96-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 59456.9. (Supervisors Ammiano, Alioto)

File 32-96-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

Recess

The Board recessed at the hour of 3:07 p.m. to convene in closed session.

Reconvening of the Board

The Board at the hour of 3:39 reconvened.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 59456.9(c).

The meeting was informational only and no action was taken by the Board.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Tom Mangold, Columbia Hotel building unsafe;
Louise Vaughn, Geneva Towers;
Connie Kuruppy, police brutality, Aaron Williams;
Joe Braverman.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Appointment]

Resolution appointing Supervisor Susan Leal as a member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Supervisor Kennedy)

File 92-96-20, Resolution No. 293-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Supervisor Leal Excused from Voting

On advice of the City Attorney, Supervisor Leal requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Leal, moved to excuse Supervisor Leal from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 8.

Absent: Supervisors Shelley, Teng - 2.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Yaki - 7.

Excused: Supervisor Leal - 1.

Absent: Supervisors Shelley, Teng - 2.

In connection with the above item, Supervisor Kennedy requested to be added as sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Sister Kathleen Healy Day]

Resolution proclaiming April 26, 1996 "Sister Kathleen Healy" Day in San Francisco. (Supervisors Shelley, Teng, Kennedy, Bierman, Ammiano, Kaufman, Migden, Alioto, Leal, Yaki)

File 4-96-7, Resolution No. 281-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki requested to be added as co-sponsors.

Monday, April 1, 1996

[Commend Greater Geary Blvd Merchants Association]
Resolution commending the Greater Geary Boulevard Merchants Association on its Fiftieth Anniversary.
(Supervisors Kaufman, Shelley, Kennedy, Bierman, Leal, Yaki)

File 6-96-39, Resolution No. 282-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Bierman, Leal, Yaki requested to be added as co-sponsors.

[Proclaim Community Development Block Grant Week]
Resolution commending the Community Development Block Grant (CDBG) Program by designating April 1 - April 7, 1996 National Community Development Week. (Supervisors Shelley, Yaki, Teng, Hsieh, Alioto, Bierman, Leal)

File 6-96-40, Resolution No. 283-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal requested to be added as co-sponsors.

[Commend Fred Lau/Asian Peace Officers Assn]
Resolution commending Fred Lau and the San Francisco Asian Peace Officers Association on the occasion of their testimonial dinner on April 6, 1996. (Supervisors Teng, Hsieh, Yaki, Shelley, Bierman, Ammiano, Kennedy, Leal, Kaufman, Migden, Alioto)

File 6-96-41, Resolution No. 284-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

[State Legislation, SB 1896, Fee Exemption]
Resolution urging the members of the State Senate Housing and Land Use Committee and San Francisco's State Senators to oppose Senate Bill 1896 relating to local fee exemptions in connection with placement of telecommunication facilities. (Supervisors Bierman, Ammiano, Alioto, Kennedy)

File 12-96-14, Resolution No. 285-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

[Semiautomatic Assault Weapons Ban]
Resolution opposing action by the U.S. House of Representatives to overturn the federal ban on semiautomatic assault weapons and urging the United States Senate and President Clinton to oppose all such legislation. (Supervisors Kaufman, Shelley, Alioto, Kennedy, Bierman, Leal, Yaki)

File 13-96-13, Resolution No. 286-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Bierman, Leal, Yaki requested to be added as co-sponsors.

[Cultural Tourism Initiative]
Resolution endorsing the Cultural Tourism Initiative proposed to be undertaken by the San Francisco Art Commission in collaboration with the Convention and Visitors Bureau, Grants for the Arts and corresponding agencies in Los Angeles and San Diego. (Supervisors Leal, Alioto, Bierman, Yaki)

File 197-96-1, Resolution No. 297-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Yaki requested to be added as co-sponsors.

[Police Helicopter Citizens Task Force]

Resolution urging the Police Commission to appoint a citizens task force to monitor and evaluate use of police helicopters. (Supervisors Ammiano, Yaki, Leal)

File 207-96-5, Resolution No. 298-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Police Helicopter Protocols]

Resolution urging the Police Commission to develop appropriate use protocols for the new San Francisco Police Department helicopters. (Supervisors Yaki, Ammiano, Leal)

File 207-96-6, Resolution No. 299-96

(March 25, 1996 - Introduced in Board for introduction on April 1, 1996.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 7.

Absent: Supervisors Ammiano, Shelley, Teng - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-14, Resolution No. 280-96

(Susan Leal, member, Board of Supervisors, April 2 - 4; Philip Adams, Director, Department of Public Transportation, March 27, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Yaki - 7.

Absent: Supervisors Ammiano, Shelley, Teng - 3.

Monday, April 1, 1996

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Review of Murals on Landmark Structures]

Substitute ordinance amending City Planning Code Sections 1005, 1006, 1006.6 and 1006.7 to require review of murals on landmarks or in a historic district. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 115-95-003.01.

[Historic Property Restoration]

Substitute ordinance amending Administrative Code by adding Sections 71.1 through 71.6 to implement California Mills Act, California Government Code Sections 50280 et seq., allowing owners of qualified historic properties to contract with the City to rehabilitate, restore and preserve properties and to procure property tax reductions pursuant to individual Mills Act contracts and authorizing fee to pay for costs of entering Mills Act Contract and administering program. Supervisors Bierman, Alioto presented. Referred to Housing and Land Use Committee.

File 097-95-056.

[Myanmar, Burma]

Substitute ordinance amending Administrative Code by adding Chapter 12J, Sections 12J.1 through 12J.9 to prohibit contracts for personal services with those who do business in or with Burma (Myanmar) and prohibit the purchase of commodities produced in or provided by those who do business in or with Burma (Myanmar). Supervisors Ammiano, Bierman, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-96-010.

[Public Notices, Plain]

Ordinance amending Administrative Code Section 67.7 to require that items on agendas of meetings of policy bodies of the City and County of San Francisco should be written in plain English and by adding Section 67.7-1 to require that public notices mailed by City departments, boards, agencies and commissions to residents be written in plain English and advise the public how they may submit written comments to City officials regarding the subject of public meetings and hearings. Supervisors Kaufman, Teng, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-96-014.01.

[Transient Occupancy (Hotel) Tax Increase]

Ordinance amending Part III, Municipal Code, by adding Section 502.6-1 to increase the current total transient occupancy surcharge by two percent and by adding Section 502.8-1 to impose an additional two percent transient occupancy surcharge in certain redevelopment project areas, both sections to be effective July 1, 1996. Supervisor Ammiano presented. Referred to Budget Committee.

File 127-96-003.

Referred to Board

[Sexual Assault Awareness Month]

Resolution declaring the month of April 1996 as Sexual Assault Awareness Month. Supervisors Kaufman, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 004-96-008.

[Commend American Rabbis/Shahar Zahav]

Resolution commending the Central Conference of American Rabbis on its passage of a resolution in support of civil marriage for lesbian and gay couples and in opposition to governmental efforts to bar such unions and commending Congregation Shahar Zahav and its Rabbi Yoel H. Kahn, on their role in securing the passage of this resolution. Supervisors Kaufman, Leal, Ammiano, Shelley, Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 006-96-042.

[Commend Dr. Jan Karski]

Resolution commending Dr. Jan Karski for all of his efforts during World War II to inform the allies of the planned extermination of the Jews of Europe by Nazi Germany to make information about these plans widely available to the public and to save the lives of the Jews of Europe. Supervisors Kaufman, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 006-96-043.

[State Legislation, AB 2248]

Resolution opposing AB 2248 relating to funding cuts to schools offering HIV/AIDS education, sexually transmitted disease prevention and sex education programs. Supervisors Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 012-96-015.

[State Legislation, AB 2549]

Resolution opposing AB 2549 concerning relocation of the State Public Utilities Commission. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 012-96-016.

Referred to Committee

[Absentee Voter Procedures]

Resolution resolving that California Election Code Section 3017 discriminates against absentee voters based on their marital and familial status; urging the State Legislature to amend Election Code Section 3017 to delete any mention of any type of marital or family status; asking the City Attorney to institute proceedings to enforce guarantees of the Fourteenth and Fifteenth Amendments with regard to Election Code Section 3017 which has the effect of denying or abridging the right to vote in contravention of the guarantees set forth in the Constitution of the United States. Supervisors Kaufman, Bierman presented. Referred to Rules Committee.

File 012-96-017.

Referred to Board

[State Legislation, AB 2147, HIV]

Resolution opposing Assembly Bill 2147 (Rainey) relating to the Human Immunodeficiency Virus. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 012-96-018.

[State Legislation, AB 3227, Same Sex Marriages]

Resolution opposing Assembly Bill 3227 (Knight) and urging the Mayor to direct the City's lobbyist to urge the State Legislature to oppose AB 1982 concerning recognition of same sex marriages. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 012-96-019.

[State Legislation, SB 1976, Needle Exchange Program]

Resolution supporting Senate Bill 1976 (Watson) concerning clean needle and syringe pilot projects. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 012-96-020.

[Federal Legislation, S. 1624]

Resolution supporting S. 1624 concerning the reauthorization of the Hate Crimes Statistics Act. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 013-96-014.

[Gift Acceptance]

Resolution accepting the gift of possession and use of gay and lesbian historical materials for deposit in the San Francisco Public Library. Supervisors Ammiano, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 038-96-007.

[Youth Commission Budget]

Resolution urging the Mayor to create an appropriate operating budget for the Youth Commission in the 1996-97 budget. Supervisors Yaki, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 100-96-004.

Requests for Hearings:

[Family Mosaic Project]

Hearing to consider the administration of the Family Mosaic Project as it relates to the Medi-Cal program, service to families in the community, their hiring and firing personnel practices, the program's goals, objections and community involvement. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 030-96-007.

[Methamphetamine Epidemic]

Hearing to consider the City's response to the growing methamphetamine epidemic. Supervisors Leal, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-96-008.

[Child Care]

Hearing to consider what subsidized child care services are available. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 107-96-001.

[Residential Hotel Conversion]

Hearing to consider the efficacy of the Planning Department's regulation and control of the conversion of residential apartments into hotel rooms or business rental units. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee.

File 189-96-001.

[Unreinforced Masonry Retrofit Program]

Hearing to consider the status of the unreinforced masonry retrofit program. Supervisor Hsieh presented. Referred to Budget Committee.

File 200-96-003.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 030-96-001.06.

[Cantonese/Spanish Simulcasts]

Motion directing the Clerk of the Board to work with Citywatch (Channel 54) to develop a Second Audio Program to existing Citywatch broadcasts of Board and Committee meetings with a view toward simulcasts with Cantonese and Spanish translations. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 8, 1996.

File 054-96-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-020. [Tedral L. Thompson, v. CCSF] Ordinance authorizing settlement of litigation of Tedral L. Thompson against the City and County of San Francisco by payment of \$7,500. (Superior Court No. 962-340). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-021. [Guillermo Lopez v. CCSF] Ordinance authorizing settlement of litigation of the City's cross-complaint in Lopez against the City and County of San Francisco. (Superior Court No. 952-731). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-006. [Lease, New Main Library, 200 Larkin Street] Ordinance authorizing and approving the lease of space in City-owned property at 200 Larkin Street, consisting of a portion of the lowest floor to Robin Boley-Alvarez and Francois Alvarez commencing April 18, 1996. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 090-96-002. [Landmark Designation, Milo Hoadley Residence] Ordinance designating the Milo Hoadley Residence as Landmark No. 216 pursuant to Article 10 of the City Planning Code. (Department of City Planning) (City Planning Resolution No. 14079, adopted 3/14/96.) (Landmarks Preservation Advisory Board Resolution No. 481, adopted 11/15/95.) Referred to Housing and Land Use Committee.

File 097-96-015. [Hold Harmless Agreement with Caltrans] Ordinance amending Administrative Code by adding Section 1.41 regarding hold harmless agreements with California Department of Transportation (Caltrans). (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 102-95-017. [Salary Ordinance Amendment, Airport] Substitute ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), Airport, reflecting the creation of thirty-seven (37) positions (Classifications 1203 Personnel Technician (1), 1368 Special Assistant IX (1), 1370 Special Assistant XI (1), 1404 Clerk, (1), 1424 Clerk Typist (1), 1426 Sr. Clerk Typist (1), 1632 Sr. Account Clerk (1), 1764 Mail Reproduction Service Superintendent (1), 1802 Research Assistant (1), 1844 Sr. Management Assistant (2), 3554 Associate Registrar (1), 7334 Stationary Engineer (2), 7335 Sr. Stationary Engineer (1), 7342 Locksmith (1), 7347 Plumber (2), 7348 Steamfitter (2), 9203 Sr. Airport Comm. Dispatcher (2), 9209 Police Service Aide (12), 9222 Airport Operations Coordinator (3)); companion measure to File 101-95-63. (Department Human Resources) Referred to Budget Committee.

File 124-96-004. [Special Truck Loading Zones and Yellow Zones] Ordinance amending traffic code by amending Sections 33.3, 38.B, and 38.B1, regarding the designation of special truck loading zones and yellow zones. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 155-96-002. [Reward Authorization] Ordinance authorizing payment of reward to Doe One and Doe Two. (Mayor) Referred to Budget Committee.

Resolutions Referred to Committee

File 048-96-011. [Settlement of Claim, Grange Insurance Group] Resolution approving the settlement of the unlitigated claim of Grange Insurance Group (insured, Steve Young) by payment of \$7,665.56. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-96-002. [Lease of Property at 720 Sacramento Street] Resolution authorizing a lease of real property at 720 Sacramento Street, San Francisco, for the Chinatown Children's Development Center of the Mental Health Division of the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 172-96-006. [State Mental Health Performance Contract] Resolution approving the San Francisco City and County Performance Contract for Mental Health Services in fiscal year 1995-96. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yaki, that City Attorney research and report on the police powers of San Francisco in restricting alcohol (off-sale) and gun sales within a specified distance of schools, churches and community centers taking into account zoning ordinances as well as comparable "drug-free zone" criminal statutes.

By Supervisors Yaki, Bierman, that City Attorney prepare ordinance which would extend the sunset provisions for tour bus bans on 25th and 15th Avenues to September 30, 1996.

By Supervisor Alioto, that the Board of Supervisors send letter congratulating Michela Alioto on her victory as the Democratic nominee for the First Congressional District.

By Supervisor Alioto, that City Attorney prepare a comprehensive history of the Raker Act and how it's been implemented in San Francisco.

Monday, April 1, 1996

By Supervisor Alioto, that City Attorney prepare report regarding the status of all legal and business dealing the City has with Pacific Gas and Electric Company.

By Supervisor Alioto, that letter of inquiry be sent to Controller to determine the status of the audit of the franchise agreement between Pacific Gas and Electric Company and the City and County conducted in 1995 and the status of the audit scheduled for 1996.

By Supervisor Alioto, that letter of inquiry be sent to Chief Administrative Officer to ascertain whether any reports regarding the franchise fee agreement between Pacific Gas and Electric Company and the City and County will be prepared and submitted to the Board of Supervisors pursuant to Administrative Code Section 11.5.

By Supervisor Alioto, that a second letter be sent to the Golden Gate National Recreation Area requesting that steps be taken to stop the demolition of housing in the Presidio with her name added to Supervisors Kennedy and Bierman.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Michael Weintraub (Supervisor Hsieh)
Juan Pifarre (Supervisor Leal)

File 2-96-14

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:16 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 22, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, April 8, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 91

Number 15

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 8, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Noted absent at first roll call:

Supervisor Hsieh - 1.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Presentation of Guests

Supervisor Ammiano introduced and welcomed the 24 member Lincoln High School Show Chorus.

Suspension of the Rules

Supervisor Ammiano, seconded by Supervisor Kennedy, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the students and their instructor.

No objection and motion granted.

The teacher indicated the purpose of their visit is to present a short presentation to the Board of Supervisors to announce that the Lincoln High School Show Chorus has an opportunity to participate in a competition in Los Angeles and are on a fund raising drive.

The Chorus sang a portion of the song called "Celebrate".

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Tax Collector/Treasurer/Assessor]

Ordinance appropriating \$571,428, Tax Collector/Treasurer and Assessor, from the General Fund Reserve for salaries and mandatory fringe benefits to implement an Arbitrator's Award increasing rates of pay of Real Property Auditors and Appraisers retroactive to July 1994 for fiscal year 1995-96. (Controller)

File 101-95-66, Ordinance No. 133-96

Finally passed.

[Appropriation, Airport]

Ordinance appropriating \$81,065,500, Airport, of 1992 Airport Revenue Bond proceeds for capital improvements and professional services to allow the Airport to implement the Master Plan Mitigation Noise Insulation Program for fiscal year 1995-96. (Controller)

File 101-95-67, Ordinance No. 144-96

Finally passed.

[Appropriation, Department of Public Health]

Ordinance appropriating \$20,000,000 to allow San Francisco General Hospital to participate in the S8 1255 Disproportionate Share Payment Program through the California Medical Assistance Commission during fiscal year 1995-96. Funded from miscellaneous Health Department revenues. (Supervisors Hsieh, Alioto)

File 101-95-68, Ordinance No. 134-96

Finally passed.

[Reward Authorization]

Ordinance authorizing payment of reward to Doe One for supplying information leading to the arrest and conviction of the perpetrator who murdered Justine Jones, "The Haight Street Good Samaritan" on March 27, 1994. (Mayor)

File 155-96-1, Ordinance No. 143-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Amendment to MOU, Staff and Per Diem Nurses]

Ordinance amending Ordinance No. 178-95 to implement the terms of an amendment to the Memorandum of Understanding between the Service Employees International Union, Local 790, AFL-CIO and the City and County for Staff Nurse and Per Diem Nurses extending the duration of the Memorandum of Understanding through June 30, 1997. (Department of Human Resources)

File 93-95-1.1, Ordinance No. 132-96

Finally passed.

[Airport North Terminal Concession Lease]

Ordinance approving the "North Terminal California Products Shop Lease" between Marilla Chocolate Company Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-4, Ordinance No. 135-96

Finally passed.

[Airport Lease Modification, Delta Airlines, Inc.]

Ordinance approving, retroactively, Modification No. 5 of Lease and Use Agreement between Delta Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-96-5, Ordinance No. 136-96

Finally passed.

[Morales v. CCSF]

Ordinance authorizing settlement of litigation of Epitacia Morales against the City and County by payment of \$40,000. (City Attorney)

File 45-96-17, Ordinance No. 137-96

(Superior Court No. 966-482)

Finally passed.

[CCSF v. Ilitovich, et al]

Ordinance authorizing settlement of the litigation of City and County v. Eugenie S. Ilitovich, et al., in the amount of Seventy Three Thousand Dollars (\$73,000). (City Attorney)

File 46-96-5, Ordinance No. 138-96

(Superior Court No. 968-593)

Finally passed.

[Friends of the Library Agreement, Lease, MOU]

Ordinance approving a Memorandum of Understanding between the Public Library and the Friends of the Public Library for use of space in the new main library building for the performance of library-related services, generation of revenues for library department purposes, and assurance of private funds to provide support on an ongoing basis for the public library system; and authorizing and approving certain agreements directly with such non-profit corporation as contemplated by such MOU, including a lease of office space and a lease of gift store space. (Supervisors Kaufman, Migden, Alioto, Ammiano, Teng, Yaki, Leal)

File 65-96-3, Ordinance No. 139-96

Finally passed.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[City Seal Authorization, Affinity Programs]

Ordinance amending Administrative Code, authorizing the Clerk of the Board, upon recommendation of the Chief Administrative Officer to approve the use of the City Seal on the face of San Francisco affinity credit cards and San Francisco affinity pre-paid phone cards promoting the City and allowing San Francisco affinity credit and pre-paid phone cards inscribed with the City Seal to be offered for sale. (Supervisors Migden, Bierman, Teng, Leal)

File 97-96-12, Ordinance No. 141-96

(Adds Section 1.6-8.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Mission Bay Nonconforming Uses Text Amendment]

Ordinance amending Planning Code, to provide a 25-year nonconforming use termination period beyond the current 10-year termination period for fully enclosed warehouse buildings east of Third Street. (Department of City Planning)

File 115-96-4, Ordinance No. 142-96

(Amend Section 983(e)(3).)

(City Planning Resolution No. 14050, adopted 2/1/96).
(Exempt from Environmental Review, General Rule Exclusion).

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Health Service Plans and Rates of Contribution]

Ordinance amending Administrative Code, approving Health Service System Plans and Rates of Contribution as adopted by the Health Service Board. (Department of Human Resources)

File 97-96-9, Ordinance No. 140-96

(Amends Section 16.157.)

(April 1, 1996 - Consideration continued to April 8, 1996.)

Finally passed by the following vote:

Monday, April 8, 1996

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

Recommendations of Housing and Land Use Committee

Tabled

[Encroachment Permit, Perry/Third Streets]

Resolution granting revocable permission to Nibbi Brothers, general contractors, to temporarily close and occupy the northerly sidewalk and a portion of the street area on Perry Street, 237.50 feet easterly of Third Street, during construction operations at 401-433 Third Street (Block 3763, Lots 82, 83, 85, 86, 89, 90, 91, 114, 115). (Department of Public Works)

File 10-96-1, Resolution No.

(April 1, 1996 - Consideration continued to April 8, 1996.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair so the President could participate in the debate from the floor.

Consideration Continued

[Liquor License, 1745 Folsom Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Jennifer Kitchen for Rainbow Grocery located at 1745 Folsom Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-10, Resolution No.

(April 1, 1996 - Consideration continued to April 8, 1996.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to continue consideration to April 29, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Airport]

Ordinance appropriating \$239,592, Airport, of San Francisco Airport Operating Funds for salaries and mandatory fringe benefits for the creation of thirty-three (33) positions to support the implementation of the Master Plan for fiscal year 1995-96. (Controller)

File 101-95-63, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Monday, April 8, 1996

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Salary Ordinance Amendment, Airport]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), reflecting the creation of thirty-three (33) positions at the San Francisco International Airport; companion measure to File 101-95-63. (Department of Human Resources)

File 102-95-17, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Appropriation, Airport]

Ordinance appropriating \$636,354, Airport, of San Francisco Operating Funds for overtime to support increased security mandated by the Federal Aviation Administration for fiscal year 1995-96. (Controller)

File 101-95-64, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Appropriation, Department of Social Services]

Ordinance appropriating and rescinding \$318,395, Department of Social Services, for personal services, materials and supplies and equipment for automation projects for fiscal year 1995-96. (Controller)

File 101-95-70, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

Adopted

[Patient Rates]

Resolution amending Resolution No. 620-95 which fixes patient rates for services furnished by City and County health care institutions, to include patient rates for targeted case management at San Francisco General Hospital and community public health services clinics (effective July 1, 1995), and for other skilled nursing services at San Francisco General Hospital (effective January 1, 1996.) (Department of Public Health)

File 30-95-11.1, Resolution No. 303-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

Recommendations of Government Efficiency and Labor Committee

Adopted

[HUD Guidelines; Small Business]

Resolution urging the U.S. Housing and Urban Development Department to revise the underwriting criteria to allow small business owners more accessibility to the Mayor's Office of Community Development revolving loan fund. (Supervisors Teng, Bierman, Alioto, Ammiano, Yaki, Leal, Kaufman, Shelley)

File 13-96-9, Resolution No. 315-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Yaki, Leal, Kaufman, Shelley requested to be added as co-sponsors.

[MOCD Revolving Loan Fund: Garment Industry]

Resolution establishing a minimum of one million dollars revolving loan fund of the U.S. Housing and Urban Development Section 108 funding to meet the needs expressed by small business owners in the garment industry. (Supervisors Teng, Bierman, Alioto, Ammiano, Leal, Shelley, Kaufman, Yaki)

File 68-96-2, Resolution No. 318-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Leal, Shelley, Kaufman, Yaki requested to be added as co-sponsors.

Recommendations of Rules Committee

Passed for Second Reading as Amended

[Street Plaque Placement Procedures]

Ordinance amending Public Works Code, to establish procedures for the commemoration of historical sites, events and persons in locations upon a public street or place. (Supervisors Ammiano, Shelley, Alioto, Leal, Bierman, Teng)

File 123-95-3, Ordinance No.

(Adds Sections 789, 789.1, 789.2, 789.3, 789.4, 789.5, 789.6 and 789.7.)

Supervisor Ammiano, seconded by Supervisor Kaufman, moved to amend title, line five and page two, lines 1 and 9, by inserting the word "historical" before the word "sites".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Bierman, Teng requested to be added as co-sponsors.

Adopted

[Appointments]

Resolution appointing members to the Advisory Council to the Commission on the Aging, terms expired, for new two-year terms ending March 31, 1998. (Rules Committee)

File 92-96-1.2, Resolution No. 319-96

(Marian Levy, Seat No. 20301, vice herself;
Vera Haile, Seat No. 20304, vice Fran Watkins.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

[Audit, Medical Examiner-Coroner's Office]

Motion directing the Budget Analyst to give priority to conducting a comprehensive audit of the Medical Examiner-Coroner's Office upon completion of audits currently underway. (Supervisors Ammiano, Leal)

File 165-96-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Hsieh - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ms. Hewlett, police accountability;
Rodney, liquor licenses, church occupancy certificate.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Sexual Assault Awareness Month]

Resolution declaring the month of April 1996 as Sexual Assault Awareness Month. (Supervisors Kaufman, Bierman, Alioto, Leal, Yaki, Ammiano, Teng)

File 4-96-8, Resolution No. 305-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki, Ammiano, Teng requested to be added as co-sponsors.

[Commend American Rabbis/Shahar Zahav]

Resolution commending the Central Conference of American Rabbis on its passage of a resolution in support of civil marriage for lesbian and gay couples and in opposition to governmental efforts to bar such unions and commending Congregation Shahar Zahav and its Rabbi Yoel H. Kahn, on their role in securing the passage of this resolution. (Supervisors Kaufman, Leal, Ammiano, Shelley, Alioto, Bierman, Yaki, Teng)

File 6-96-42, Resolution No. 306-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Yaki, Teng requested to be added as co-sponsors.

[Commend Dr. Jan Karski]

Resolution commending Dr. Jan Karski for all of his efforts during World War II to inform the allies of the planned extermination of the Jews of Europe by Nazi Germany to make information about these plans widely available to the public and to save the lives of the Jews of Europe. (Supervisors Kaufman, Bierman, Alioto, Leal, Yaki, Ammiano, Teng)

File 6-96-43, Resolution No. 307-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

Monday, April 8, 1996

In connection with the above item, Supervisors Leal, Yaki, Ammiano, Teng requested to be added as co-sponsors.

[State Legislation, AB 2248]

Resolution opposing AB 2248 relating to funding cuts to schools offering HIV/AIDS education, sexually transmitted disease prevention and sex education programs. (Supervisors Ammiano, Alioto, Yaki, Leal, Bierman, Teng)

File 12-96-15, Resolution No. 310-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[State Legislation, AB 2549]

Resolution opposing AB 2549 concerning relocation of the State Public Utilities Commission. (Supervisors Bierman, Kennedy, Ammiano, Teng)

File 12-96-16, Resolution No. 311-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Ammiano, Teng requested to be added as co-sponsors.

[State Legislation, AB 2147, HIV]

Resolution opposing Assembly Bill 2147 (Rainey) relating to the Human Immunodeficiency Virus. (Supervisors Alioto, Bierman, Leal, Teng, Ammiano)

File 12-96-18, Resolution No. 312-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal, Teng, Ammiano requested to be added as co-sponsors.

[State Legislation, AB 3227, Same Sex Marriages]

Resolution opposing Assembly Bill 3227 (Knight) and urging the Mayor to direct the City's lobbyist to urge the State Legislature to oppose AB 1982 concerning recognition of same sex marriages. (Supervisors Alioto, Bierman, Leal, Yaki, Ammiano, Teng)

File 12-96-19, Resolution No. 313-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Leal, Yaki, Ammiano, Teng requested to be added as co-sponsors.

[State Legislation, SB 1976, Needle Exchange Program]

Resolution supporting Senate Bill 1976 (Watson) concerning clean needle and syringe pilot projects. (Supervisors Alioto, Bierman, Ammiano, Teng)

File 12-96-20, Resolution No. 314-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Ammiano, Teng requested to be added as co-sponsors.

[Federal Legislation, S. 1624]

Resolution supporting S. 1624 concerning the reauthorization of the Hate Crimes Statistics Act. (Supervisors Alioto, Bierman, Yaki, Ammiano, Teng)

File 13-96-14, Resolution No. 316-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Bierman, Yaki, Ammiano, Teng requested to be added as co-sponsors.

[Gift Acceptance]

Resolution accepting the gift of possession and use of gay and lesbian historical materials for deposit in the San Francisco Public Library. (Supervisors Ammiano, Alioto, Kaufman, Bierman, Leal, Teng)

File 38-96-7, Resolution No. 317-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Bierman, Leal, Teng requested to be added as co-sponsors.

[Youth Commission Budget]

Resolution urging the Mayor to create an appropriate operating budget for the Youth Commission in the 1996-97 budget. (Supervisors Yaki, Bierman, Alioto, Kennedy, Ammiano, Teng)

File 100-96-4, Resolution No. 320-96

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Ammiano, Teng requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki)

File 30-96-1.6

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

[Cantonese/Spanish Simulcasts]

Motion directing the Clerk of the Board to work with Citywatch, Channel 54 in developing and reporting on costs and feasibility of a second Audio Program to existing Citywatch broadcasts of Board and Committee meetings with a view toward simulcasts with Cantonese and Spanish translations. (Supervisors Yaki, Kennedy, Teng, Leal, Ammiano)

File 54-96-3

(April 1, 1996 - Introduced in Board for consideration on April 8, 1996.)

Adopted.

In connection with the above item, Supervisors Kennedy, Teng, Leal, Ammiano requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Monday, April 8, 1996

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-15, Resolution No. 304-96

(Willie L. Brown, Jr., Mayor, City and County of San Francisco, April 9 - 10; Angela Alioto, member, Board of Supervisors, April 15 - 21 and August 1 - September 1; Philip Adams, Director, Department of Public Transportation, April 13 - 15; Chuck Breyer, Commissioner, Juvenile Probation Commission, April 5 - 15; Marie K. Brooks, Vice President, Airports Commission, April 5 - 15; Mary I. Callanan, Treasurer, Office of the Treasurer, April 18 - 21; V. C. Gee, Commission Chair, Ethics Commission, April 3 - 7; Ricardo Hernandez, Public Administrator/Public Guardian, April 24 - 27, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh - 2.

[Imperative Resolutions]

Adopted

[Commend Fight the Right March]

Resolution commending the National Organization for Women and welcoming participants in the "Fight the Right March" and declaring April 14, 1996 "Fight the Right March Day".

File 006-96-044, Resolution No. 308-96

Supervisors Teng, Bierman, Leal, Alioto, Ammiano, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh - 2.

[Commend Dennis Peron]

Resolution commending and honoring Dennis Peron for his civic and community leadership on his birthday, April 8, 1996.

File 006-96-046, Resolution No. 309-96

Supervisors Ammiano, Kaufman, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Alioto, Hsieh - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Tour Bus, 25th Avenue/El Camino Real]

Ordinance amending Ordinance No. 88-96, which amended the Police Code to prohibit tour buses on El Camino Del Mar between the Presidio (approximately 290 feet east of 25th Avenue) and Legion of Honor Drive, and 25th Avenue between Lake Street and El Camino Del Mar through June 30, 1996, by amending Section 3 to provide that this prohibition on tour buses shall expire on September 30, 1996 rather than June 30, 1996. Supervisors Shelley, Yaki presented. Referred to Rules Committee.

File 121-96-002.01.

[Tour Bus, 15th Avenue]

Ordinance amending Ordinance No. 115-96, which amended the Police Code to prohibit tour buses on 15th Avenue from Lake Street to the Presidio through June 30, 1996 by amending Section 2 to provide that this prohibition on tour buses shall expire on September 30, 1996 rather than June 30, 1996. Supervisors Shelley, Yaki presented. Referred to Rules Committee.

File 121-96-005.02.

[New Jobs Tax Credit Extension]

Ordinance amending Part III of the Municipal Code by amending Section 906B, extending the expiration date of the New Jobs Tax Credit to December 31, 2002. Supervisor Kaufman presented. Referred to Budget Committee with request it be considered on April 24, 1996.

File 127-96-002.

Referred to Board

[Proclaim Laurel Hill Nursery School Day]

Resolution proclaiming April 27, 1996 Laurel Hill Nursery School Day in San Francisco. Supervisors Yaki, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 15, 1996.

File 004-96-009.

[Commend Irwin Memorial Blood Centers]

Resolution commending Irwin Memorial Blood Centers on the plasma pheresis blood donation program and declaring April 27, 1996 Irwin Memorial Blood Centers Day in San Francisco. Supervisors Teng, Kennedy,

Monday, April 8, 1996

Bierman, Alioto, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 15, 1996.

File 006-96-045.

[Riverside County Police Beating]

Resolution condemning the beating of two Mexican immigrants by Riverside County Sheriff's deputies in South El Monte, California and urging the Justice Department to conduct a thorough investigation into the civil rights abuses of immigrants. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar April 15, 1996.

File 013-96-015.

[Off Street Parking Fee Waiver]

Resolution waiving parking fees for main library opening participants on April 16, 17, 18 and 21, 1996 at the Civic Center Garage and the Performing Arts Garage. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 15, 1996.

File 047-96-002.

[Bay Area Rapid Transit District Police Oversight]

Resolution urging the Bay Area Rapid Transit (BARTD) District Board of Commissioners to immediately take action to improve oversight of its BART police and create a citizens' oversight process. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 15, 1996.

File 080-96-001.

[Appointment]

Resolution appointing Supervisor Tom Ammiano to the Bay Area Air Quality Management District Board of Directors. Clerk of the Board. Referred to Board for Adoption Without Committee Reference Calendar April 15, 1996.

File 092-96-009.01.

Referred to Committee

[Pesticide Reduction]

Resolution urging the Mayor to urge the Recreation and Parks Commission to implement an integrated pest management policy to ban the use of especially hazardous pesticides and to reduce the use of other toxic pesticides. Supervisor Shelley presented. Referred to Rules Committee.

File 193-96-002.

Requests for Hearings:

[Street Lighting, Stockton Tunnel]

Hearing to consider the inadequate lighting in Stockton Street tunnel. Supervisor Teng presented. Referred to Housing and Land Use Committee.

File 191-96-002.

[Election of Supervisors and Related Matters]

Hearing to consider proposals to reform the method of election of members of the Board of Supervisors and related matters. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 245-96-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-0022. [Mychelle Colleary v. CCSF, et al.] Ordinance authorizing settlement of personal injury claim of Mychelle Colleary against the City and County of San Francisco and its employee Chinedu Elekwachi by payment of \$15,000, each side to bear its own costs and attorneys' fees. (Superior Court No. 969-275). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-96-006. [CCSF v. Glimidakis, et al.] Ordinance authorizing settlement of the litigation of City and County of San Francisco v. Vasilios and Christine Glimidakis, et al., in the amount of Forty

Thousand Dollars (\$40,000). (Superior Court No. 963-377). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 172-96-007. [Muni Railway Regional Trip Planning Agreement] Ordinance approving a contract between the City, through its Municipal Railway, and three Bay Area transit agencies, to provide regional database for route, schedule and fare information so that passengers can plan regional trips. (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 010-96-002. [Encroachment Permit, 62-64 Bonview Street] Resolution granting revocable permission to James P. Zerga to construct one (1) concrete retaining wall and landscaping in conjunction with grading and constructing a private driveway for access to 62-64 Bonview Street (Block 5613, Lots 20 and 21) and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 025-96-005. [Prop J Contract, Legal Services, District Attorney] Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 028-96-004. [Emergency Repair, Various Locations] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Francisco Street between Larkin Street and Mid-Block Polk Street, Lansing Street between First Street and Guy Place, Twenty-Third Avenue between Clement Street and Geary Boulevard and Bannam Place between Green Street and Union Street - \$232,120. (Department of Public Works) Referred to Budget Committee.

File 048-96-012. [Settlement of Claim, Lee Kyu Park] Resolution approving the settlement of the unlitigated claim of Lee Kyu Park by payment of \$25,729.95. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 147-96-003. [State Grant - African American History Network] Resolution authorizing the City Librarian to apply for Library Services and Construction Act funds from the California State Library for the African American History Network II. There are direct costs of eight percent (8%) contained in the budget of this grant. (Public Library) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that City Attorney research and prepare appropriate legislation to recruit and provide incentive to businesses at the San Francisco Airport that sell "made in San Francisco" products.

By Supervisor Kennedy, that letter of inquiry be sent to Bureau of Building Inspection concerning the Concord Missionary Baptist Church project to determine whether there were ongoing inspections during construction of the building and if not, why not; whether there was any deviation from the approved plans and if so, was the deviation approved by the inspector; whether it is permissible to issue a temporary occupancy certificate so the building can be used while the problem of disability access is addressed and corrected.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

I. Donald Turner (By the entire Board)
Ron Brown (By the entire Board)
Carl B. Stokes (By the entire Board)
James E. Stratten (Supervisor Kennedy)
Gwendolyn Gatewood (Supervisor Kennedy)
Georgena Starnes Scott (Supervisor Kennedy)
David Butler (Supervisor Kennedy)
Whitman Tatum (Supervisor Kennedy)
Valerie Williams Sauls (Supervisor Kennedy)
Mary L. Foy (Supervisors Leal, Shelley)
James Kennedy (Supervisor Ammiano)
Michael Alan Knapp (Supervisor Ammiano)
Bill Morton (Supervisors Yaki, Teng)
Carol Hamilton (Supervisor Yaki)

Monday, April 8, 1996

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 29, 1996.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, April 15, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 15, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Noted absent at first roll call:

Supervisor Kaufman - 1.

Quorum present.

Supervisor Kaufman excused. (See infra.)

Supervisor Kaufman Excused

The Clerk stated Supervisor Kaufman requested to be excused from attending today's meeting.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to excuse Supervisor Kaufman.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kaufman - 1.

Suspension of the Rules
Presentation Made

Supervisor Kennedy, seconded by Supervisor Leal, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Thassinda UBA Thassinda, Chairman, Group For the Reconstruction and Development of the Republic of Zaire.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9

Absent: Supervisor Kaufman - 1

Supervisor Kennedy introduced Chairman Tassinda UBA Thassinda who brought greetings to the Board.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Leal, moved that the Journals of Proceedings for Monday, March 18 and March 25, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kaufman - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Airport]

Ordinance appropriating \$239,592, Airport, of San Francisco Airport Operating Funds for salaries and mandatory fringe benefits for the creation of thirty-three (33) positions to support the implementation of the Master Plan for fiscal year 1995-96. (Controller)

File 101-95-63, Ordinance No. 145-96

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Airport]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96), reflecting the creation of thirty-three (33) positions at the San Francisco International Airport; companion measure to File 101-95-63. (Department of Human Resources)

File 102-95-17, Ordinance No. 148-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Airport]

Ordinance appropriating \$636,354, Airport, of San Francisco Operating Funds for overtime to support increased security mandated by the Federal Aviation Administration for fiscal year 1995-96. (Controller)

File 101-95-64, Ordinance No. 146-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Social Services]

Ordinance appropriating and rescinding \$318,395, Department of Social Services, for personal services, materials and supplies and equipment for automation projects for fiscal year 1995-96. (Controller)

File 101-95-70, Ordinance No. 147-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Tedral L. Thompson, v. CCSF]

Ordinance authorizing settlement of litigation of Tedral L. Thompson against the City and County by payment of \$7,500. (City Attorney)

File 45-96-20, Ordinance No.

(Superior Court No. 962-340).

Passed for second reading.

[Guillermo Lopez v. CCSF]

Ordinance authorizing settlement of litigation of the City's cross-complaint in Lopez against the City and County of San Francisco. (City Attorney)

File 45-96-21, Ordinance No.

(Superior Court No. 952-731).

Passed for second reading.

Adopted

[Settlement of Claim, Grange Insurance Group]

Resolution approving the settlement of the unlitigated claim of Grange Insurance Group (insured, Steve Young) by payment of \$7,665.56. (City Attorney)

File 48-96-11, Resolution No. 329-96

Adopted.

[Lease of Property/720 Sacramento St.]

Resolution authorizing a lease of real property at 720 Sacramento Street, San Francisco, for the Chinatown Children's Development Center of the Mental Health Division of the Department of Public Health. (Supervisors Teng, Ammiano, Yaki)

File 64-96-2, Resolution No. 331-96

Adopted.

[CCSF - Mission Clay Products Agreement]

Resolution approving the agreement between the City and County and Mission Clay Products, a division of MCP Industries, Inc. (Public Utilities Commission)

File 172-96-5, Resolution No. 337-96

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Residential Parking Area "U," South of Market]

Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding Shipley Street, between Fifth and Sixth Streets, north side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-96-9, Resolution No. 327-96

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kaufman - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Rules Committee

Finally Passed

[Street Plaque Placement Procedures]

Ordinance amending Public Works Code, to establish procedures for the commemoration of historical sites, events and persons in locations upon a public street or place. (Supervisors Ammiano, Shelley, Alioto, Leal, Bierman, Teng)

File 123-95-3, Ordinance No. 149-96

(Adds Sections 789, 789.1, 789.2, 789.3, 789.4, 789.5, 789.6 and 789.7.)

Finally Passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kaufman - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$48,712, Police Department, from the General Fund Reserve for professional services, rent, other current expenses, materials and supplies and services of other departments for the relocation of the Office of Citizen Complaints for fiscal year 1995-96 (accommodate new staff required per Proposition G); providing for ratification of action previously taken. (Controller)

File 101-95-62, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kaufman - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

(Supervisor Hsieh dissenting in Committee.)

[Appropriation, Department of Human Resources]

Ordinance appropriating \$464,628, Department of Human Resources, from the General Fund Reserve for temporary salaries, fringe benefits, professional services and services of other departments for the creation of three (3) positions to provide the department with additional support for labor negotiations for fiscal year 1995-96; placing \$146,250 on reserve. (Controller)

File 101-95-65, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Kaufman - 1.

The President resumed the Chair.

[Appropriation, Trial Courts]

Ordinance appropriating \$2,900,000, Trial Courts, of Court Special Revenue Fund revenue to a capital improvement project for Civic Center Courthouse construction for fiscal year 1995-96; placing \$2,900,000 on reserve. (Controller)

File 101-95-69, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kaufman - 1.

[Reward Authorization]

Ordinance authorizing payment of reward to Doe One and Doe Two for supplying information leading to the arrest and conviction of the perpetrator who murdered Alexis McNeal on April 4, 1994. (Mayor)

File 155-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Absent: Supervisor Kaufman - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lake Merced Restaurant/Bar Lease Amendment]

Ordinance approving a lease amendment with the Lake Merced Restaurant and Bar extending the Agreement to May 31, 2002. (Recreation and Park Department)

File 62-96-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Land Lease, SFUSD - Public Transportation Commission]

Ordinance authorizing and approving a thirty-five year lease with the San Francisco Unified School District, of certain school district property, located at Newcomer High School; and ratifying previous actions (restroom facility for Municipal Railway drivers). (Public Transportation Commission)

File 65-96-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Myanmar, Burma]

Ordinance amending Administrative Code, to prohibit contracts for personal services with those who do business in or with Burma (Myanmar) and prohibit the purchase of commodities produced in or provided by those who do business in or with Burma (Myanmar). (Supervisors Ammiano, Bierman, Alioto)

File 97-96-10, Ordinance No.

(Adds Chapter 12J, Sections 12J.1 to 12J.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

Adopted

[Prop. J Contract, Parking Management Services]

Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1996 than if work were performed by City employees at budgeted levels. (Airport)

File 25-96-3, Resolution No. 326-96

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Annual Joint Fundraising Drive]

Resolution designating those agencies qualified to participate in the 1996 Annual Joint Fundraising Drive for officers and employees of the City and County. (Government Efficiency and Labor Committee)

File 162-96-1, Resolution No. 336-96

(The Progressive Way
Earth Share of California
Local Independent Charities of America (LIC)
The United Way of the Bay Area
Combined Health Appeal of California
Bay Area Black United Fund, Inc. (BABUF).)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[State Mental Health Performance Contract]
Resolution approving retroactively, the San Francisco City and County Performance Contract for Mental Health Services in fiscal year 1995-96. (Department of Public Health)

File 172-96-6, Resolution No. 338-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Landmark, North End Police Station/Garage]
Ordinance designating the North End Police Station and Garage as Landmark No. 218 pursuant to Article 10 of the City Planning Code. (Supervisors Teng, Bierman)

File 90-96-1, Ordinance No.

(City Planning Resolution No. 14066, adopted 3/7/96.)
(Landmarks Preservation Advisory Board Resolution No. 479, adopted 9/20/95.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Underground District No. 322, Alpine Terrace]
ordinance creating Underground District No. 322 in the Alpine Terrace/Museum Way District; companion measure to File 52-96-2.1. (Department of Public Works)

File 52-96-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

Recommendations of Housing and Land Use Committee

Adopted

[Parking Regulations]
Resolution enacting and rescinding Parking regulations at Harrison Street. (Department of Parking and Traffic)

File 19-96-3.2, Resolution No. 325-96

(Two-Hour Parking Time Limit, 7 a.m. - 6 p.m., Except Sunday - Rescind.
Parking Meter Area No. 3 (2-Hour Time Limit, 9 a.m. - 6 p.m., Monday Through Saturday) - Establish.

Harrison Street, both sides, between Third and Fourth Streets.)

(February 26, 1996 - Rereferred to Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Lighting Assessment District, Alpine Terrace]

Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in Alpine Terrace/Museum Way District; designating the City Engineer as the Engineer for the formation proceedings; companion measure to File 52-96-2. (Department of Public Works)

File 52-96-2.1, Resolution No. 330-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Interim Controls, 24th Street]

Resolution imposing Interim Zoning Controls to temporarily prohibit specialty grocery and retail coffee stores, subject to specified exceptions, in the 24th Street-Noe Valley Neighborhood Commercial District, as defined in City Planning Code Section 728.1, for an eighteen (18) month period. (Supervisors Bierman, Teng)

File 111-96-1, Resolution No. 334-96

(Exempt Status, General Rule Exclusion.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

[Interim Controls, 24th Street, Permits]

Resolution enacting order directing the Zoning Administrator, the Superintendent of the Bureau of Building Inspection and other permit issuing agencies to suspend action on any application for permits or licenses for specialty grocery and retail coffee stores, subject to specified exceptions, in the 24th Street-Noe Valley Neighborhood Commercial District, as defined in City Planning Code Section 728.1. (Supervisors Bierman, Teng)

File 111-96-1.1, Resolution No. 335-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

Passed for Second Reading

[Adult Entertainment Ban, Van Ness SUD]

Ordinance amending Planning Code, Van Ness Special Use District, to prohibit adult entertainment enterprises as described in Section 221(k), and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Teng)

File 115-96-2, Ordinance No.

(Exempt Status, General Rule Exclusion.)

(City Planning Resolution No. 14037, adopted January 11, 1996.)

(Amends Section 243.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

SPECIAL ORDER - 3:00 P.M.

Report Received

[State of Health Care Report]

Report by Director of Public Health concerning the State of Health Care in the City and County of San Francisco. (Supervisor Shelley)

File 30-96-6

Dr. Sandra Hernandez, Director of Health presented the 1996 State of the City, Public Health Address to the Board which highlighted State and Federal policy trends, health and related economic impacts, and key public health indicators for San Francisco.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri, SF General Hospital;
Justin Cohen, Accessibility issues;
Laboriae P. Smoore, treatment of poor people;
Woman, police brutality and use of pepper spray.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

(The following item will be voted on separately.)

Adopted

[Appointment]

Resolution appointing Supervisor Tom Ammiano to the Bay Area Air Quality Management District Board of Directors. (Clerk of the Board)

File 92-96-9.1, Resolution No. 333-96

(April 8, 1996 - Introduced in Board for consideration on April 15, 1996.)

Supervisor Ammiano Excused from Voting

On advise of the City Attorney, Supervisor Ammiano requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Kennedy, seconded by Supervisor Bierman, moved to excuse Supervisor Ammiano from voting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

The roll was then called on the pending legislation and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 7.

Excused: Supervisor Ammiano - 1.

Absent: Supervisors Hsieh, Kaufman - 2.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commend Irwin Memorial Blood Centers]

Resolution commending Irwin Memorial Blood Centers on the plasma pheresis blood donation program and declaring April 27, 1996 Irwin Memorial Blood Centers Day in San Francisco. (Supervisors Teng, Kennedy, Bierman, Alioto, Shelley)

File 6-96-45, Resolution No. 323-96

(April 8, 1996 - Introduced in Board for consideration on April 15, 1996.)

Supervisor Teng, seconded by Supervisor Leal, moved to amend title, line one, by replacing the word Plasma with the word "Platelets"; amend page one, lines 3 and 7 by replacing the word "plasma" with the word "platelets."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Riverside County Police Beating]

Resolution condemning the beating of two Mexican immigrants by Riverside County Sheriff's deputies in South El Monte, California and urging the Justice Department to conduct a thorough investigation into the civil rights abuses of immigrants. (Supervisors Leal, Alioto, Teng, Bierman, Ammiano, Yaki, Shelley)

File 13-96-15, Resolution No. 324-96

(April 8, 1996 - Introduced in Board for consideration on April 15, 1996.)

Supervisor Leal, seconded by Supervisor Teng, moved to amend title, line one, by replacing the word "two" with the word "three"; amend page one, line 12 by replacing the word "two" with the word "three".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Laurel Hill Nursery School Day]

Resolution proclaiming April 27, 1996 Laurel Hill Nursery School Day in San Francisco. (Supervisors Yaki, Shelley, Teng)

File 4-96-9, Resolution No. 322-96

(April 8, 1996 - Introduced in Board for consideration on April 15, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Off Street Parking Fee Waiver]

Resolution waiving parking fees for the main library opening participants on April 16, 17, 18 and 21, 1996 at the Civic Center Garage and the Performing Arts Garage. (Supervisors Shelley, Teng)

File 47-96-2, Resolution No. 328-96

(April 8, 1996 - Introduced in Board for consideration on April 15, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Bay Area Rapid Transit District Police Oversight]

Resolution urging the Bay Area Rapid Transit (BART) District Board of Commissioners to immediately take action to improve oversight of its BART police and create a citizens oversight process. (Supervisors Ammiano, Teng, Yaki)

File 80-96-1, Resolution No. 332-96

(April 8, 1996 - Introduced in Board for consideration on April 15, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Yaki requested to be added as co-sponsors.

[Final Map, 346 1st Street]

Motion approving final map of 346 1st Street, a condominium project, being a resubdivision of Lot 65 in Assessor's Block 3749, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-96-9

(April 8, 1996 - Introduced in Board for consideration on April 15, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-16, Resolution No. 321-96

(Susan Leal, member, Board of Supervisors, April 24 - 27; Edgar Flowers, Jr., Chief Probation Officer, Juvenile Probation Dept., May 14 - 19; Sandra R. Hernandez, M.D., Director, Department of Public Health, April 25 - May 3; Dennis Herrera, Commissioner, Public Transportation Commission, April 10 - 14; Clothilde Hewlett, Commissioner, Police Commission, April 17 - 20; Susan Lowenberg, President, City Planning Commission, April 6 - 14; Penney K. Magrane, Commissioner, Landmarks Preservation and Advisory Board, March 28 - April 5; Lee Ann Monfredini, Commissioner, Health Commission, April 5 - 7; Jane Morrison, President, Social Services Commission, April 17 - 21; Vincent J. Rovetti, Commissioner, Recreation and Park Commission, April 3 - 11; Douglas Wong, Commissioner, Police Commission, April 3 - 7, 1996.)

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Hsieh, Kaufman - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MOU, Local 39, Amendment 3]

Ordinance adopting and implementing the provisions of Amendment No. 3 to the Memorandum of Understanding between the International Union of Operating Engineers Stationary, Local 39 and the City and County of San Francisco to be effective for the period July 1, 1996 through June 30, 1998. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-028.02.

[MOU, Local 798/Bargaining Unit 1, Amendment 1]

Ordinance amending Ordinance No. 381-95 to implement the provisions of Amendment Number 1 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County of San Francisco to be effective from the date of final Board approval through June 30, 1999. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-050.01.

[MOU, Local 798/Bargaining Unit 1, Amendment 2]

Ordinance amending Ordinance No. 381-95 to correct clerical errors by adopting and implementing the provisions of Amendment No. 2 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1999. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-050.02.

[MOU, Local 798/Bargaining Unit 2, Amendment 1]

Ordinance amending Ordinance No. 382-95 to implement the provisions of Amendment No. 1 to the Memorandum of Understanding between the San Francisco Fire Fighters Union local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County of San Francisco to be effective from the date of final Board approval through June 30, 1999. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-051.01.

[MOU, Local 798/Bargaining Unit 2, Amendment 2]

Ordinance amending Ordinance No. 382-95 to correct clerical errors by adopting and implementing the provisions of Amendment Number 2 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County of San Francisco to be effective July 1, 1995 through June 30, 1999. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-95-051.02.

[Appropriation, 911 CAD Interim System]

Ordinance appropriating \$5,337,594, Police Department, for purchase and installation of an interim Computer Aided Dispatch (CAD/911) System including professional services, services of other departments and overtime; funded from the General Fund Reserve (established from the 1994-95 one time accounting adjustment). Supervisor Shelley presented. Referred to Budget Committee with request it be considered at the April 24, 1996 meeting.

File 101-95-074.

[MOU, Local 580]

Ordinance implementing the provisions of a Memorandum of Understanding between the Cement Masons Union, Local 580 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-003.

[MOU, Local 718]

Ordinance implementing the provisions of a Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers Union, Local 718 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-004.

[MOU, Local 4]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Painters and Allied Trades, Local 4 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-005.

[MOU, Institutional Police Officers Association]

Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-007.

[MOU, Local 377]

Ordinance implementing the provisions of a Memorandum of Understanding between the Ironworkers-Bridge, Structural Ornamental and Reinforced, Local Union 377 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-008.

[MOU, Local 34]

Ordinance implementing the provisions of a Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf & Dock Builders, Local Union No. 34 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-009.

[MOU, Local 38]

Ordinance implementing the provisions of a Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 38 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-010.

[MOU, Local 16]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Alliance of Theatrical Stage Employees & Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-011.

[MOU, Local 40]

Ordinance implementing the provisions of a Memorandum of Understanding between the Roofers, Local 40 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-012.

[MOU, Local 22]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bay Counties District Council of Carpenters, Carpenters, Local 22 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-013.

[MOU, Local 261]

Ordinance implementing the provisions of a Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-014.

[MOU, Local 1414]

Ordinance implementing the provisions of a Memorandum of Understanding between the Peninsula Automotive Mechanics Lodge, No. 1414, International Association of Machinists & Aerospace Workers, AFL-CIO and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-015.

[MOU, Local 3, Operating Engineers]

Ordinance implementing the provisions of a Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-016.

[MOU, Local 36]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bricklayers, Stone Masons Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3/Hodcarriers, Local 36 and the City and County of San Francisco. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-017.

[MOU, Local 3, Supervising Probation Officers]

Ordinance implementing the provisions of a Memorandum of Understanding agreement between Operating Engineers Local 3 bargaining for Supervising Probation Officers and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-018.

[MOU, Local 66]

Ordinance implementing the provisions of a Memorandum of Understanding between the Plasterers and Shophands, Local 66 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1997. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-019.

[MOU, Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section 8.409 of the Charter in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1996. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee with request it be considered at the April 22, 1996 meeting.

File 093-96-020.

[Rent Stabilization]

Draft ordinance amending Administrative Code Section 37.9 regarding Evictions and adding Section 37.9B to provide for tenant rights in evictions under Section 37.9(a)(8). Supervisor Ammiano presented. Referred to Housing and Land Use Committee.

File 109-96-001.

[Sexual Harassment]

Ordinance amending Administrative Code Section 12B.1 and 12B.2 to prohibit discrimination and sexual harassment of city employees and members of the public. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee.

File 097-96-018.

[Former Charter Provisions]

Ordinance amending Administrative Code by adding Sections 1.49, 2.1-1, 2.6-4, 2.6-5, 2A.10, 2A.14, 2A.18, 2A.19, 2A.20, 2A.70, 2A.30, 2.6-6, 2A.50, 2A.51, 2A.75, 2A.76, 2A.77, 2A.78, 2A.79, 2A.80, 2A.81, 2A.90, 2A.91, 2A.92, 2A.93, 2A.94, 2A.95, 2A.96, and 2A.97, to codify Sections 1.103, 2.101, 2.203, 2.203-3, 3.100, 3.201, 3.301, 3.302, 3.303, 3.402, 3.501, 3.502, 3.523, 3.529, 3.531, 3.533, 3.534, 3.535, 3.537, 3.538, 3.539, 3.540, 3.541, 3.542, 3.543, 3.544, 3.545, 3.546 and 3.547 of the 1932 Charter, respectively and to make necessary changes to conform to the 1996 Charter. Supervisor Kaufman presented. Referred to the Select Committee on Charter Implementation with request it be considered at the April 23, 1996 meeting.

File 097-96-019.

[Garment Manufacturers' Tax Credit]

Ordinance amending Part III of the Municipal Code by adding Sections 906C and 1005.7 to grant a tax credit, not to exceed \$20,000, against the payroll expense tax and the business tax on gross receipts, to garment manufacturers with gross receipts of not more than \$5 million that reinvest in technical equipment or employee retraining, as specified, operative January 1, 1997, and expiring December 31, 2001. Supervisor Teng presented. Referred to Budget Committee.

File 127-96-004.

Referred to Board

[Asian Pacific American Heritage Month]

Resolution establishing May 1996 as Asian Pacific American Heritage Month in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

File 004-96-010.

[Commending Kimochi, Inc.]

Resolution commending Kimochi, Inc. for its twenty-five years of dedication and commitment to providing quality care for the elderly and proclaiming May 5, 1996 as "Kimochi" Day. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

File 006-96-047.

[Take Our Daughters to Work Day]

Resolution supporting, commending, and urging participation in "Take Our Daughters To Work Day," which empowers young girls to explore new career choices, introduces them to the workplace, and prepares them for the future by building confidence and skills. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

File 006-96-048.

[International AIDS Candlelight Memorial]

Resolution supporting the Thirteenth International AIDS Candlelight Memorial and Mobilization, and commending Mobilization Against AIDS for its outstanding work in coordinating the International AIDS Candlelight Memorial and Mobilization. Supervisors Alioto, Ammiano, Hsieh, Leal, Kaufman, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

File 006-96-049.

[Commending Bethany Center]

Resolution acknowledging and commending Bethany Center for its care of senior citizens, and congratulating residents of Bethany Center who have passed their 80th birthday. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

File 006-96-050.

Referred to Committee

[State Penal Code - Rape]

Resolution urging the State Legislature to increase the penalties for the crime of rape as defined in State Penal Code Sections 264(a) and (b) and Penal Code Sections 186.22(a) and (b); and urging the Governor and the State Legislature to increase funding for rape prevention programs. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the May 2, 1996 meeting.

File 012-96-021.

[California Civil Code]

Resolution urging the State Legislature to amend California Civil Code Section 1714.45 which immunizes tobacco manufactures from product liability lawsuits filed in the State of California. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 012-96-022.

Referred to Board

[Supporting State Proposition]

Resolution urging the enactment by the voters of the Attorney-Client Fee Arrangements, Securities Fraud Initiative Statute. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

File 012-96-023.

Referred to Committee

[Rape - Treatment Services]

Resolution urging his Honor, the Mayor, to support the Department of Public Health Adult Sexual Assault Services Planning Group's recommendations to develop an integrated sexual assault services system in the City and County of San Francisco; and urging the Mayor to urge the Health Commission to conduct an assessment of sexual assault services available to young women and girls in the City and County of San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the May 2, 1996 meeting.

File 030-96-009.

[Election Results, March 26, 1996]

Resolution declaring the results of the Municipal Election conducted March 26, 1996 in the City and County of San Francisco. Clerk of the Board presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

File 060-96-005.

[Northeastern Waterfront Survey Area]

Resolution amending Resolutions 141-77, 607-91 and 125-95 designating and describing the Northeastern Waterfront Survey Area by adding real property to said survey area. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 151-96-001.

[Prevailing Wage Requirements]

Resolution exempting from the prevailing wage provisions of Charter Section 7.204 a contract between the City and the San Francisco Conservation Corps to provide fire hazard reduction activities for the San Francisco Water Department. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 172-96-010.

[Prevailing Wage Requirements]

Resolution exempting from the prevailing wage provisions of Charter Section 7.204 a contract between the City and the San Francisco Conservation Corps to install bicycle racks for the Department of Parking and Traffic. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 172-96-011.

[Class Action Lawsuit]

Resolution urging the City Attorney to institute the class of cities, counties and municipalities lawsuit filed against the United States Tobacco Companies to recover the costs of caring for people with smoking-related illnesses. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 194-96-001.

Motions:

Referred to Board

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 22, 1996.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-96-003. [Zoning Map Amendment, 1118 Capitol Avenue] Ordinance amending Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property generally described as 1118 Capitol Avenue, Assessor's Block 6937, Lot 26, from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning) (City Planning Resolution No. 14083, adopted 3/21/96.) (Exempt from environmental review per Certificate of Determination issued January 19, 1996.) Referred to Housing and Land Use Committee.

File 046-96-007. [CCSF, v. Department of Health Services] Ordinance authorizing settlement of litigation of the City and County of San Francisco against the State Department of Health Services, for approval of Medi-Cal reimbursement claims. (Superior Court No. 962-505). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-007 [Lease Modification, Port/Franciscan Restaurant] Ordinance approving third amendment to lease of real property between the Franciscan Restaurant and the City and County of San Francisco operating by and through the San Francisco Port Commission for restaurant and retail uses at Pier 43-1/2, Fishermans' Wharf. (Port) Referred to Government Efficiency/Labor Committee.

File 097-96-016. [Art Enrichment] Ordinance amending Administrative Code by amending Section 3.13 to require two percent of estimated construction costs for art enrichment of public structures, parks and transportation improvement projects; restricting the application of the art enrichment ordinance to total construction costs rather than total project costs; providing for maintenance and conservation funds; allowing for aggregation of art enrichment funds; and increasing Arts Commission administrative fees. (Arts Commission) Referred to Budget Committee.

File 101-95-072. [Appropriation, PUC-Hetch Hetchy] Ordinance appropriating \$112,124, PUC-Hetch Hetchy, of Hetch Hetchy Operating Funds, to create and delete six (6) positions for fiscal year 1995-96; companion measure to File 102-95-18. RO #95187. (Controller) Referred to Budget Committee.

File 101-95-073. [Appropriation, Redevelopment Agency] Ordinance appropriating \$275,500, Redevelopment Agency, of Redevelopment Agency Revenue for salaries, professional services, and services of other departments to allow the CAO's Office to assist the Redevelopment Agency with urban design guidelines for the Mid-Embarcadero roadway replacement and open space projects for fiscal year 1995-96. RO #95186. (Redevelopment Agency) Referred to Budget Committee.

File 102-95-018. [Salary Ordinance Amendment, PUC-Hetch Hetchy] Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Public Utilities, Hetch Hetchy project, reflecting the creation of six positions (Classifications 5630 Water & Power Analyst I (1); 5631 Water & Power Analyst II (1); 5633 Water & Power Specialist (3); 5634 Water & Power Manager (1); and the deletion of six positions (Classifications AA73 Water & Power Manager (1); AA74 Water & Power Specialist (3); AA75 Water & Power Analyst II (1); AA76 Water & Power Analyst I (1)); companion measure to File 101-95-72. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 010-96-003. [Encroachment Permit, Golden Gate Ave/Larkin Street] Resolution granting revocable permission to the Clark Construction Group, Inc. to temporarily close and occupy the southerly sidewalk and a portion of the street area on Golden Gate Avenue, between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street, between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street (Block 765, Lots 2 & 3). (Department of Public Works) Referred to Housing and Land Use Committee.

File 038-96-008. [Gift Acceptance, Wosser Estate] Resolution authorizing the San Francisco Public Library to accept and expend a gift from the estate of Margaret Frances Wosser not to exceed the amount of \$10,000. (Public Library) Referred to Government Efficiency/Labor Committee.

File 038-96-009. [Gift Acceptance, Recreation and Park] Resolution accepting one gift valued at \$6,000.00, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 172-96-008. [Contract, DPH - University of Texas Medical Branch] Resolution authorizing the Director of Public Health to enter into a subcontract in the amount of \$10,847 with the University of Texas Medical Branch at Galveston, the primary contractor, to provide reports and information for a study of Host Lymphocyte Resistance to HIV-1, including an agreement to indemnify the University of Texas Medical Branch at Galveston. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-96-009. [Contract, DPH - University of Washington] Resolution authorizing the Director of Public Health to execute a contract in the amount of up to \$20,000 with the University of Washington to collect and submit San Francisco City and County STD/HIV prevention data, to the University of Washington for a study of the impact of health care reform on STD/HIV prevention activities, including an agreement to indemnify the University of Washington. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 192-96-002. [State Grant, Reduce Air Pollution, Motor Vehicles] Resolution authorizing the Executive Director of the Department of Parking and Traffic or his designee, to accept and expend \$1,335,200 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles. (Also see File 133-95-6) (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that letter be sent to Director, Department of Parking and Traffic, requesting what steps the department will take to ensure that the neighbors affected by the Mayor's request for a temporary closure of the Central Freeway, particularly those on Balboa Street, Turk Street and Golden Gate Avenue, are closely involved in the planning process for re-routing traffic.

Avenue, between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street, between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street (Block 765, Lots 2 & 3). (Department of Public Works) Referred to Housing and Land Use Committee.

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Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Robert Merrill (By Supervisor Shelley)
Dan Cook (By Supervisors Kaufman, Leal)
Gracia Buffleben (By Supervisor Leal)
John Henry (By Supervisor Ammiano)

File 2-96-15

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:05 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 6, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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4/22/96
Monday, April 22, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 22, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Kaufman, Leal, Shelley, Teng, Yaki - 6.

Noted absent at first roll call:

Supervisors Alioto, Bierman, Hsieh, Kennedy - 4.

Quorum present.

Supervisor Alioto was noted present at 2:04 p.m.

Supervisor Bierman was noted present at 2:07 p.m.

Supervisor Hsieh was noted present at 2:05 p.m.

Supervisor Kennedy was noted present at 2:05 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Kaufman, moved that the Journal of Proceedings for Monday, April 1, 1996, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Kaufman, Leal, Shelley, Teng, Yaki - 7.

Absent: Supervisors Bierman, Hsieh, Kennedy - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$48,712, Police Department, from the General Fund Reserve for professional services, rent, other current expenses, materials and supplies and services of other departments for the relocation of the Office of Citizen Complaints for fiscal year 1995-96 (accommodate new staff required per Proposition G); providing for ratification of action previously taken. (Controller)

File 101-95-62, Ordinance No. 150-96

(Fiscal Impact.)

Finally passed.

[Appropriation, Trial Courts]

Ordinance appropriating \$2,900,000, Trial Courts, of Court Special Revenue Fund revenue to a capital improvement project for Civic Center Courthouse construction for fiscal year 1995-96; placing \$2,900,000 on reserve. (Controller)

File 101-95-69, Ordinance No. 152-96

(Fiscal Impact.)

Finally passed.

[Reward Authorization]

Ordinance authorizing payment of reward to Doe One and Doe Two for supplying information leading to the arrest and conviction of the perpetrator who murdered Alexis McNeal on April 4, 1994. (Mayor)

File 155-96-2, Ordinance No. 160-96

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Tedral L. Thompson, v. CCSF]

Ordinance authorizing settlement of litigation of Tedral L. Thompson against the City and County by payment of \$7,500. (City Attorney)

File 45-96-20, Ordinance No. 153-96

(Superior Court No. 962-340).

Finally passed.

[Guillermo Lopez v. CCSF]

Ordinance authorizing settlement of litigation of the City's cross-complaint in Lopez against the City and County of San Francisco. (City Attorney)

File 45-96-21, Ordinance No. 154-96

(Superior Court No. 952-731).

Finally passed.

[Lake Merced Restaurant/Bar Lease Amendment]

Ordinance approving a lease amendment with the Lake Merced Restaurant and Bar extending the Agreement to May 31, 2002. (Recreation and Park Department)

File 62-96-1, Ordinance No. 156-96

Finally passed.

[Land Lease, SFUSD - Public Transportation Commission]

Ordinance authorizing and approving a thirty-five year lease with the San Francisco Unified School District, of certain school district property, located at Newcomer High School; and ratifying previous actions (restroom facility for Municipal Railway drivers). (Public Transportation Commission)

File 65-96-4, Ordinance No. 157-96

Finally passed.

[Myanmar, Burma]

Ordinance amending Administrative Code, to prohibit contracts for personal services with those who do business in or with Burma (Myanmar) and prohibit the purchase of commodities produced in or provided by those who do business in or with Burma (Myanmar). (Supervisors Ammiano, Bierman, Alioto)

File 97-96-10, Ordinance No. 159-96

(Adds Chapter 12J, Sections 12J.1 to 12J.9.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Underground District No. 322, Alpine Terrace]

Ordinance creating Underground District No. 322 in the Alpine Terrace/Museum Way District. (Department of Public Works)

File 52-96-2, Ordinance No. 155-96

Finally passed.

[Landmark, North End Police Station/Garage]

Ordinance designating the North End Police Station and Garage as Landmark No. 218 pursuant to Article 10 of the City Planning Code. (Supervisors Teng, Bierman)

File 90-96-1, Ordinance No. 158-96

(City Planning Resolution No. 14066, adopted 3/7/96.)

(Landmarks Preservation Advisory Board Resolution No. 479, adopted 9/20/95.)

Finally passed.

[Adult Entertainment Ban, Van Ness SUD]

Ordinance amending Planning Code, Van Ness Special Use District, to prohibit adult entertainment enterprises as described in Section 221(k), and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Teng)

File 115-96-2, Ordinance No. 161-96

(Exempt Status, General Rule Exclusion.)

(City Planning Resolution No. 14037, adopted January 11, 1996.)

(Amends Section 243.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 8.

Absent: Supervisors Bierman, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

(Supervisor Hsieh dissenting in Committee.)

[Appropriation, Department of Human Resources]

Ordinance appropriating \$464,628, Department of Human Resources, from the General Fund Reserve for temporary salaries, fringe benefits, professional services and services of other departments for the creation of three (3) positions to provide the department with additional support for labor negotiations for fiscal year 1995-96; placing \$146,250 on reserve. (Controller)

File 101-95-65, Ordinance No. 151-96

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 9.

Noes: Supervisor Hsieh - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kaufman assumed the Chair so the President could participate in the debate from the floor.

NEW BUSINESS

COMMITTEE REPORTS

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Local 580]

Ordinance implementing the provisions of a Memorandum of Understanding between the Cement Masons Union, Local 580 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 718]

Ordinance implementing the provisions of a Memorandum of Understanding between the Glaziers, Architectural Metal and Glass Workers Union, Local 718 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 4]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Painters and Allied Trades, Local 4 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Institutional Police Officers Association]

Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 377]

Ordinance implementing the provisions of a Memorandum of Understanding between the Ironworkers-Bridge, Structural Ornamental and Reinforced, Local Union 377 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 34]

Ordinance implementing the provisions of a Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf & Dock Builders, Local Union No. 34 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 38]

Ordinance implementing the provisions of a Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 38 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 16]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Alliance of Theatrical Stage Employees & Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 40]

Ordinance implementing the provisions of a Memorandum of Understanding between the Roofers, Local 40 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 22]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bay Counties District Council of Carpenters, Carpenters, Local 22 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 261]

Ordinance implementing the provisions of a Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 1414]

Ordinance implementing the provisions of a Memorandum of Understanding between the Peninsula Automotive Mechanics Lodge, No. 1414, International Association of Machinists & Aerospace Workers, AFL-CIO and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-15, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 3, Operating Engineers]

Ordinance implementing the provisions of a Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-16, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 36]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bricklayers, Stone Masons Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3/Hodcarriers, Local 36 and the City and County. (Supervisor Shelley)

File 93-96-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 3, Supervising Probation Officers]

Ordinance implementing the provisions of a Memorandum of Understanding agreement between Operating Engineers Local 3 bargaining for Supervising Probation Officers and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Local 66]

Ordinance implementing the provisions of a Memorandum of Understanding between the Plasterers and Shophands, Local 66 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-19, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[MOU, Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County whose compensations are subject to the provisions of Section 8.409 of the Charter in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1996. (Supervisor Shelley)

File 93-96-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Anthony Jaffe, oppose Dennis Peron Day;
Leboriae P. Smoore, laws against the poor.
Al Hirst, Bayview Park.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Asian Pacific American Heritage Month]

Resolution establishing May 1996 as Asian Pacific American Heritage Month in San Francisco. (Supervisors Teng, Shelley, Kaufman, Leal, Yaki, Bierman, Hsieh)

File 4-96-10, Resolution No. 340-96

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Yaki, Bierman, Hsieh requested to be added as co-sponsors.

[Commending Kimochi, Inc.]

Resolution commending Kimochi, Inc. for its twenty-five years of dedication and commitment to providing quality care for the elderly and proclaiming May 5, 1996 as "Kimochi" Day. (Supervisors Shelley Kaufman, Leal, Yaki, Teng, Bierman, Hsieh)

File 6-96-47, Resolution No. 341-96

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Yaki, Teng, Bierman, Hsieh requested to be added as co-sponsors.

[Take Our Daughters to Work Day]

Resolution supporting, commending, and urging participation in "Take Our Daughters To Work Day," which empowers young girls to explore new career choices, introduces them to the workplace, and prepares them for the future by building confidence and skills. (Supervisors Teng, Shelley, Kaufman, Leal, Bierman, Hsieh)

File 6-96-48, Resolution No. 342-96

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Bierman, Hsieh requested to be added as co-sponsors.

[International AIDS Candlelight Memorial]

Resolution supporting the Thirteenth International AIDS Candlelight Memorial and Mobilization, and commending Mobilization Against AIDS for its outstanding work in coordinating the International AIDS Candlelight Memorial and Mobilization. (Supervisors Alioto, Ammiano, Hsieh, Leal, Kaufman, Yaki, Shelley, Teng, Bierman)

File 6-96-49, Resolution No. 343-96

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Commending Bethany Center]

Resolution acknowledging and commending Bethany Center for its care of senior citizens, and congratulating residents of Bethany Center who have passed their 80th birthday. (Supervisors Bierman, Shelley, Kaufman)

File 6-96-50, Resolution No. 344-96

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[Supporting State Proposition]

Resolution urging the enactment by the voters of the Attorney-Client Fee Arrangements, Securities Fraud Initiative Statute. (Supervisor Ammiano)

File 12-96-23, Resolution No. 350-96

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

[Election Results, March 26, 1996]

Resolution declaring the results of the Municipal Election conducted March 26, 1996 in the City and County of San Francisco. (Clerk of the Board)

File 60-96-5, Resolution No. 351-96

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki)

File 30-96-1.7

(April 15, 1996 - Introduced in Board for consideration on April 22, 1996.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-17, Resolution No. 339-96

(Mary I. Callanan, Treasurer, Office of the Treasurer, April 18 - 21; Lily Chan, Member, Film and Video Arts Commission, April 27 - May 2; Preston Cook, Commissioner, Port Commission, April 19 - 27; Joyce Mobley Corrigan, Member, Film and Video Arts Commission, April 11 - 15; Edgar Flowers, Jr., Chief Probation Officer, Juvenile Probation Department, May 14 - 19; Ricardo Hernandez, Public Administrator-Public Guardian, April 24 - 27; Sandra R. Hernandez, M.D., Director of Health, Department of Public Health, April 23 - May 6; Claude M. Jarman, Jr., Member, War Memorial Board of Trustees, April 22 - May 3, John L. Martin, Director of Airports, San Francisco International Airport, April 21 - 23; H. Daniel McFarland, General Manager, Dept. of Electricity and Telecomm. April 15 - 19 and April 28 - May 1; Marion Otsea, President, Public Utilities Commission, June 23 - 27; Wendell L. Pryor, Director, Department of Human Resources, April 24 - 26 and May 2 - 3; Louise H. Renne, City Attorney, Office of City Attorney, April 19 - 26, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kaufman, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Imperative Resolutions]

Adopted

[Commend Jeanne Taylor] Resolution commending Jeanne Taylor's thirty-three (33) years of achievement at Lilli Ann.

File 6-96-52, Resolution No. 345-96

Supervisors Teng, Kaufman, Alioto, Kennedy, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Commend Philip Choi]

Resolution commending Philip Choi and declaring April 23, 1996 Philip Choi Day in San Francisco.

File 006-96-053, Resolution No. 346-96

Supervisors Teng, Kaufman, Yaki, Bierman, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Commend Po S. Wong]

Resolution commending Po S. Wong and declaring April 26, 1996 Po S. Wong Day in San Francisco.

File 006-96-054, Resolution No. 347-96

Supervisors Teng, Kaufman, Yaki, Bierman, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Commend Chinatown Festival for the Environment]

Resolution commending and supporting the first Chinatown Festival for the Environment.

File 006-96-055, Resolution No. 348-96

Supervisors Teng, Kaufman, Yaki, Bierman, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

[Workplace Equality]

Resolution congratulating and welcoming the lesbian, gay, bisexual and transgendered corporate leaders and their companies participating in a national gathering of businesses with workplace equality and support for their lesbian, gay, bisexual and transgendered employees.

File 006-96-058, Resolution No. 349-96

Supervisors Ammiano, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Shelley, Teng, Yaki - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Unlitigated Claims Under \$15,000]

Ordinance amending Administrative Code Sections 10.20-9, 10.21, 10.22, 10.22-1, 10.24 and 10.25 to provide that all unlitigated claims involving the City and County of San Francisco may be settled without the approval of the Board of Supervisors if the amount of the settlement is under \$15,000, rather than the previous amount of under \$5,000. Supervisor Shelley presented. Referred to Budget Committee.

File 097-96-022.

[Revolving Funds, Municipal Railway Claims]

Ordinance amending Administrative Code by repealing Section 10.150 thereby eliminating Cash Revolving Funds for the Municipal Railway, consistent with the provisions of the revised City Charter and by amending Section 10.136-1 to increase by \$270,473 (to a total of \$370,473) the funds held in the Bureau of Claims of the Office of the City Attorney, reflecting the transfer of Municipal Railway claims processing to the City Attorney's Office, effective July 1, 1996. Supervisor Shelley presented. Referred to Budget Committee.

File 097-96-023.

[Bayshore Hester Assessment District]

Resolution ordering changes and modifications to the Engineer's Report, including the assessment roll for the City and County of San Francisco Bayshore Hester Assessment District No. 95-1. Supervisor Shelley presented. Referred to Budget Committee with request it be considered on May 1, 1996.

File 251-95-002.01.

Referred to Board

[Commend Charity Cultural Services Center]

Resolution commending the Charity Cultural Services Center for thirteen years of assisting low-income immigrant families and for helping these families to become self-sufficient through education and job training. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 29, 1996.

File 006-96-051.

[Commend Pacific Asian American Women]

Resolution commending the Pacific Asian American Women Bay Area Coalition and the 1996 Recipients of the Woman Warrior Awards. Supervisors Teng, Kaufman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 29, 1996.

File 006-96-056.

[Commend Walden House, Sheriff's Department]

Resolution commending Walden House and the San Francisco Sheriff's Department for the Sisters in Sober Treatment, Empowered for Recovery (SISTER) project. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 29, 1996.

File 006-96-057.

[Gift, Police Horse Trailer]

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of a horse trailer from Wells Fargo Bank. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar April 29, 1996.

File 038-96-010.

Referred to Committee

[Grant, Landmark Preservation Advisory Board]

Resolution authorizing the Landmarks Preservation Advisory Board's Certified Local Government (C.L.G.) program located within the Planning Department to apply for funds from the National Historic Preservation Act Grant-in-Aid Subgrant program administered by the California State Office of Historic Preservation Funds of up to \$25,000 foregoing reimbursement of indirect costs during fiscal year July 1, 1996 to June 30, 1997. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 134-96-001.

[Bonds, Bayshore Hester Assessment District]

Resolution providing for the issuance of \$1,030,000 principal amount of limited obligation improvement bonds; providing for the approval and execution and delivery by officers of the City and County of a fiscal agent agreement; providing for the appointment of a fiscal agent for the bonds and an assessment administrator; providing for the collection of assessments to pay the principal of and interest on said bonds; approving the notice of sale and preliminary official statement for said bonds; authorizing the execution of said bonds; approving an acquisition and funding agreement and a continuing disclosure agreement; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. Supervisor Shelley presented. Referred to Budget Committee with request it be considered on May 1, 1996.

File 170-96-002.

Referred to Board

[Pedestrian Safety Awareness]

Resolution urging the Mayor and all Department Heads to promote increased awareness of pedestrian safety by participating in the San Francisco Pedestrian Task Forces' SEE Pedestrian campaign. Supervisors Leal, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar April 29, 1996.

File 239-96-001.

Referred to Committee

[State Office of the American Legion]

Resolution urging the War Memorial Board of Trustees to terminate all relationships with the State Office of the American Legion and begin action to expel their offices from the Veterans War Memorial Building unless they fully comply with all recommendations of the Human Rights Commission's finding that the State Office of the American Legion engaged in and tolerated individual acts of prohibited discrimination against the Alexander Hamilton Post and lesbian, gay and bisexual veterans. Supervisors Ammiano, Alioto, Bierman, Leal presented. Referred to Economic Vitality/Social Policy Committee.

File 240-96-001.

Requests for Hearings:

[Recreation Fields Restrooms]

Hearing to consider the availability and condition of restrooms at City-owned recreational fields (baseball, softball, etc.) for weekend leagues. Supervisor Yaki presented. Referred to Government Efficiency/Labor Committee.

File 193-96-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-95-075. [Appropriation, Department of Public Health] Ordinance appropriating and rescinding \$22,040,803, Department of Public Health, of revenues (Realignment Short Doyle Medi-Cal and Medical), contribution transfers, salaries and fringe benefits at the Department of Mental Health, Laguna Honda, and San Francisco General Hospitals to address projected deficit for fiscal year 1995-96. RO #95190. (Controller) Referred to Budget Committee.

File 034-96-001. [Sidewalk Width Regulations, Indiana Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1521 changing official sidewalk width on the East side of Indiana Street between 23rd Street and Tubbs Street, as shown on the Department of Public Works drawing labeled Q-20-435 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Referred to Housing and Land Use Committee.

File 045-96-023. [Tina Periera v. CCSF] Ordinance authorizing settlement of litigation of Tina Periera against the City and County of San Francisco by payment of \$6,000. (Superior Court No. 961-877). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-024. [Mamaradlo v. CCSF] Ordinance authorizing settlement of litigation of Virginia Mamaradlo and Manuel Mamaradlo against the City and County of San Francisco by payment of \$90,000. (Superior Court No. 965-646). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-96-008.01. [Redevelopment Agency Rooftop Surface Lease] Ordinance providing for the approval, execution and delivery of the Agency Rooftop Surface Lease, between City and County of San Francisco ("City") and Redevelopment Agency of the City and County of San Francisco ("Agency"), for a portion of the Central Block Three of the Yerba Buena Gardens; providing for the approval, execution and delivery of the Coordination Agreement, between the City and the Agency, regarding the operation and use of Central Block Three; providing for the approval, execution and delivery of the amendment to 1988 Reciprocal Easement Agreement, dated as of March 1, 1988, between the City and the Agency affecting Central Block Three; providing for the execution of any additional documents in connection therewith; and ratifying previous actions taken in connection therewith; companion to File 65-96-8. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 097-96-020. [Prohibiting Contracting with the City] Ordinance amending Administrative Code, Chapter 6 (Officers and Employees), by adding Section 16.980 to prohibit members of Boards and Commissions from contracting with the City and County. (Mayor) Referred to Government Efficiency/Labor Committee.

File 097-96-021. [Access to Electronic Information] Ordinance amending Administrative Code by amending Section 67.21, governing requirements for the release and storage of information stored in electronic form. (Sunshine Ordinance Task Force) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 021-96-001. [Sewer Service Charge, 1996/97] Resolution adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1996-1997 pursuant to Part II, Chapter X, Articles 4.1 and 4.2, of the Public Works Code; providing for severability clause. (Chief Administrative Officer) Scheduled for public hearing before Board on May 6, 1996, at 3:00 p.m.

File 065-96-008. [Environmental findings, Rooftop Surface Lease] Resolution reaffirming adoption of findings and statement of overriding consideration pursuant to the California Environmental Quality Act (CEQA) for the Yerba Buena Gardens Redevelopment Agency/City Rooftop Surface Lease; companion measure to File 65-96-8.1. (Also see File 91-94-1.1). (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 095-96-001. [Annual Audit, Controller's Books] Draft resolution ordering an annual audit of Controller's books, and authorizing a three-year contract with a consortium of accounting firms. (Controller) Referred to Government Efficiency/Labor Committee.

File 148-96-002. [Grant-State, TDA Funds-Bicycle/Pedestrian Projects] Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend \$477,372 of Transportation Development Act (TDA) Article 3 Funds for bicycle and pedestrian projects and waiving indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that City Attorney prepare ordinance which would create Victim Information and Notification Program.

By Supervisor Kaufman, that letter of inquiry be sent to Purchaser concerning the Cartridge King program whereby laser printer cartridges are recycled and to determine the feasibility of the City and County's purchase and use of these products.

By Supervisor Leal, that letter of inquiry be sent to Director, Department of Human Resources, to determine whether the Health Service System has approved a company to market disability insurance products to City and County employees which make available any benefit to an employee's spouse but not to an employee's domestic partner and which firms are actively marketing the products in such manner.

By Supervisor Leal, that City Attorney advise whether it is legal for the Health Service System to approve a company to market disability insurance products to City and County employees which make available any benefit to an employee's spouse but not to an employee's domestic partner and is it legal for the City and County to facilitate access to city employees for such activities. If the answer to either questions is in the affirmative, can the Board and Mayor pass legislation to require all companies approved by the Health Service Board and given access to City and County employees only market disability insurance products which make available all benefits equally applicable to spouses and domestic partners.

By Supervisor Shelley, that City Attorney draft resolution for the enactment of the Real Estate Fraud Prosecution Trust Fund.

By Supervisor Yaki, that City Attorney prepare ordinance to allow residents and businesses to reclaim parking space lost due to public works activities should there be no construction activity by noon of a day for which the activity has been noticed.

By Supervisor Hsieh, letter of inquiry be sent to Chief Administrative Officer concerning inoperable newspaper racks to ascertain whether a system is in place to inspect news racks on street corners to determine whether coin slots are working properly or requires maintenance on an ongoing basis.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Fred Whisman (Supervisor Shelley)
Tim Oates (Supervisor Leal)
Kevin G. Brooks (Supervisor Ammiano)
Steve Higa (Supervisor Ammiano)
Hermilio Rodis (By the entire Board)

File 2-96-17

Unanimously adopted by a rising vote.

Monday, April 22, 1996

ADJOURNMENT

There being no further business, the Board at the hour of 2:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 13, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, April 29, 1996

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 29, 1996 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Kevin Shelley, the meeting was called to order at 2:05 p.m. by the Acting Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Teng, Yaki - 7.

Noted absent at first roll call:

Supervisors Alioto, Kennedy, Shelley - 3.

Quorum present.

Supervisor Alioto was noted present at 2:06 p.m.

Supervisor Kennedy was noted present at 2:08 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Acting Clerk, Supervisor Leal, seconded by Supervisor Hsieh, moved that Supervisor Kaufman be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Leal, Teng, Yaki - 7.

Absent: Supervisors Alioto, Kennedy, Shelley - 3.

Supervisor Shelley Excused

The Acting Clerk stated Supervisor Shelley requested to be excused from attending today's meeting.

Supervisor Bierman, seconded by Supervisor Ammiano, moved to excuse Supervisor Shelley.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Ammiano, moved that the Journal of Proceedings for Monday, April 8, 1996 be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Teng, Yaki - 8.

Absent: Supervisors Kennedy, Shelley - 2.

Suspension of the Rules
Presentation Made

Supervisor Hsieh, seconded by Supervisor Teng, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to make a presentation.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9

Absent: Supervisor Shelley - 1

Supervisors Hsieh, Teng and Yaki presented a Certificate of Honor to Kai-Ping Liu, reporter for the Sing Tao Daily and recipient of his United States Citizenship the preceeding week.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[MOU, Local 580]

Ordinance implementing the provisions of a Memorandum of Understanding between the Cement Masons Union, Local 580 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-3, Ordinance No. 162-96

Finally passed.

File 93-96-4, Ordinance No.

Finally passed.

[MOU, Local 4]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Brotherhood of Painters and Allied Trades, Local 4 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-5, Ordinance No. 164-96

Finally passed.

[MOU, Institutional Police Officers Association]

Ordinance implementing the provisions of a Memorandum of Understanding between the San Francisco Institutional Police Officers Association and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-7, Ordinance No. 165-96

Finally passed.

[MOU, Local 377]

Ordinance implementing the provisions of a Memorandum of Understanding between the Ironworkers-Bridge, Structural Ornamental and Reinforced, Local Union 377 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-8, Ordinance No. 166-96

Finally passed.

[MOU, Local 34]

Ordinance implementing the provisions of a Memorandum of Understanding between the Pile Drivers, Divers, Carpenters, Bridge, Wharf & Dock Builders, Local Union No. 34 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-9, Ordinance No. 167-96

Finally passed.

[MOU, Local 38]

Ordinance implementing the provisions of a Memorandum of Understanding between the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 38 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-10, Ordinance No. 168-96

Finally passed.

[MOU, Local 16]

Ordinance implementing the provisions of a Memorandum of Understanding between the International Alliance of Theatrical Stage Employees & Moving Picture Machine Operators of the United States and Canada, Local 16 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-11, Ordinance No. 169-96

Finally passed.

[MOU, Local 40]

Ordinance implementing the provisions of a Memorandum of Understanding between the Roofers, Local 40 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-12, Ordinance No. 170-96

Finally passed.

[MOU, Local 22]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bay Counties District Council of Carpenters, Carpenters, Local 22 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-13, Ordinance No. 171-96

Finally passed.

[MOU, Local 261]

Ordinance implementing the provisions of a Memorandum of Understanding between the Laborers International Union of North America, Local 261 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-14, Ordinance No. 172-96

Finally passed.

[MOU, Local 1414]

Ordinance implementing the provisions of a Memorandum of Understanding between the Peninsula Automotive Mechanics Lodge, No. 1414, International Association of Machinists & Aerospace Workers, AFL-CIO and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-15, Ordinance No. 173-96

Finally passed.

[MOU, Local 3, Operating Engineers]

Ordinance implementing the provisions of a Memorandum of Understanding between the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-16, Ordinance No. 174-96

Finally passed.

[MOU, Local 36]

Ordinance implementing the provisions of a Memorandum of Understanding between the Bricklayers, Stone Masons Terrazza Mechanics, Marble Masons, Pointers, Caulkers and Cleaners, Local 3/Hodcarriers, Local 36 and the City and County. (Supervisor Shelley)

File 93-96-17, Ordinance No. 175-96

Finally passed.

[MOU, Local 3, Supervising Probation Officers]

Ordinance implementing the provisions of a Memorandum of Understanding agreement between Operating Engineers Local 3 bargaining for Supervising Probation Officers and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-18, Ordinance No. 176-96

Finally passed.

[MOU, Local 66]

Ordinance implementing the provisions of a Memorandum of Understanding between the Plasterers and Shophands, Local 66 and the City and County for the period July 1, 1996 through June 30, 1997. (Supervisor Shelley)

File 93-96-19, Ordinance No. 177-96

Finally passed.

[MOU, Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County whose compensations are subject to the provisions of Section 8.409 of the Charter in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1996. (Supervisor Shelley)

File 93-96-20, Ordinance No. 178-96

Finally passed.

Passed for Second Reading

[CCSF v. Glimidakis, et al.]

Ordinance authorizing settlement of the litigation of City and County v. Vasilios and Christine Glimidakis, et al., of Forty Thousand Dollars (\$40,000). (City Attorney)

File 46-96-6, Ordinance No.

(Superior Court No. 963-377)

Passed for second reading.

[Lease Modification, Port/Franciscan Restaurant]

Ordinance approving third amendment to lease of real property between the Franciscan Restaurant and the City and County operating by and through the Port Commission for restaurant and retail uses at Pier 43-1/2, Fishermans' Wharf. (Port)

File 65-96-7, Ordinance No.

Passed for second reading.

Adopted .

[Prop J Contract, Legal Services, District Attorney]

Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-96-5, Resolution No. 362-96

Adopted.

[Gift Acceptance, Wosser Estate]

Resolution authorizing the Public Library to accept and expend a gift from the estate of Margaret Frances Wosser not to exceed the amount of \$10,000. (Public Library)

File 38-96-8, Resolution No. 364-96

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Land Use Committee)

File 19-96-6, Resolution No. 359-96

(No Parking Anytime - Establish)

Moscow Street, east side, from Excelsior Avenue to 36 feet southerly (36-foot zone).

Two-Hour Parking Time Limit, 7 a.m. - 6 p.m., Except Sunday - Rescind

Evans Avenue, both sides, between Lane and Mendell Streets;

Evans Avenue, south side, between Keith and Lane Streets.

Parking Meter Area No. 3 (One-Hour Time Limit, 9 a.m. - 6 p.m., Monday Through Saturday) - Establish

Thirtieth Street, north side, from Church Street to 80 feet westerly (80-foot zone accommodating four parking stalls);

Day Street, north side, from Church Street to 36 feet easterly (36-foot zone accommodating two parking stalls).

Parking Meter Area No. 3 (Two-Hour Time Limit, 9 a.m. - 6 p.m., Monday Through Saturday) - Establish

Thirteenth Street, south side, from South Van Ness Avenue to 310 feet easterly (310-foot zone along raised traffic island);

Thirteenth Street (South Service Road), south side, from South Van Ness Avenue to 365 feet easterly (365-foot zone).)

Adopted.

[Traffic Regulations, Various Locations]

Resolution enacting traffic regulations at various locations. (Housing and Land Use Committee)

File 20-96-5, Resolution No. 360-96

(One-Way Street - Establish)

Florida Street, east roadway, northbound, from Fifteenth Street to 210 feet southerly (210-foot zone).

Tow-Away, No Stopping Anytime - Establish

Portola Drive, north side, from Burnett Avenue to 290 feet easterly (290-foot zone replacing existing red zone).

Street Closed to Vehicular Traffic, Except Muni and Bicycles - Establish

Duboce Avenue, from Church Street to 280 feet easterly (280-foot zone).

No Right Turn, Except Muni - Establish

Church Street, northbound, at Duboce Avenue.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Consideration Continued

[Liquor License/1745 Folsom Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Jennifer Kitchen for Rainbow Grocery, located at 1745 Folsom Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-10, Resolution No.

(April 8, 1996 - Consideration continued to April 29, 1996.)

Supervisor Leal, seconded by Supervisor Ammiano, moved to continue consideration to May 20, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Works]

Ordinance appropriating \$5,687,710, Department of Public Works, of 1996A City Hall Improvement Bond Fund proceeds for design and construction of non-seismic improvements at City Hall, for bond issuance costs for the offices of the Chief Administrative Officer, Controller and the City Attorney and for repayment of the General Fund advance for fiscal year 1995-96. (Controller)

File 101-95-71.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

[Appropriation, Public Utilities Commission-Hetch Hetchy]

Ordinance appropriating and rescinding \$77,002, Public Utilities Commission-Hetch Hetchy, of Hetch Hetchy Operating Funds, to create and delete six (6) positions for fiscal year 1995-96. (Controller)

File 101-95-72, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

[Salary Ordinance Amendment]

Ordinance amending Ordinance No. 256-95 (Annual Salary Ordinance, 1995/96) Public Utilities, Hetch Hetchy project, reflecting the creation of six (6) positions; companion measure to File 101-95-72. (Department of Human Resources)

File 102-95-18, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

[Appropriation, Chief Administrative Officer]

Ordinance appropriating \$275,500, Chief Administrative Officer, of Redevelopment Agency revenue for salaries, professional services, and services of other departments to allow the CAO's office to assist the Redevelopment Agency with urban design guidelines for the Mid-Embarcadero Roadway replacement and open space projects for fiscal year 1995-96. (Controller)

File 101-95-73, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

[Appropriation, 911 CAD Interim System]

Ordinance appropriating \$5,337,594, Police Department, for purchase and installation of an interim Computer Aided Dispatch (CAD/911) System including professional services, services of other departments and overtime; funded from the General Fund Reserve (established from the 1994-95 one time accounting adjustment); providing for ratification of action previously taken. (Supervisors Shelley, Kennedy)

File 101-95-74, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

Appointment of President Pro Tempore

At the request of the Acting President, Supervisor Leal assumed the Chair so the Acting President could participate in the debate from the floor.

[New Jobs Tax Credit Extension]

Ordinance amending Part III, Municipal Code, extending the expiration date of the New Jobs Tax Credit to December 31, 2002. (Supervisors Kaufman, Leal, Hsieh, Bierman, Teng)

File 127-96-2, Ordinance No.

(Amends Section 906B.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Sewer Emergency]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary work to replace structurally inadequate sewer in Francisco Street between Larkin Street and mid-block Polk Street, Lansing Street between First Street and Guy Place, Twenty-Third Avenue between Clement Street and Geary Boulevard and Bannam Place between Green Street and Union Street. (Department of Public Works)

File 28-96-4, Resolution No. 363-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Public Notices, Plain]

Ordinance amending Administrative Code, to require that items on agendas of meetings of policy bodies of the City and County should be written in plain English and to require that public notices mailed by city departments, boards, agencies and commissions to residents be written in plain English and advise the public how they may submit written comments to city officials regarding the subject of public meetings and hearings. (Supervisors Kaufman, Teng, Bierman, Shelley)

File 97-96-14.1, Ordinance No.

(Amends Section 67.7;
Adds Section 67.7-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

The Acting President resumed the Chair.

[Hold Harmless Agreement with Caltrans]

Ordinance amending Administrative Code, regarding hold harmless agreements with various city departments and to California Department of Transportation (Caltrans) for the purpose of obtaining encroachment permits from the State. (Department of Public Works)

File 97-96-15, Ordinance No.

(Adds Section 1.49.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

[Muni Railway Regional Trip Planning Agreement]

Ordinance approving a contract between the City, through its Municipal Railway, and three Bay Area transit agencies, to provide regional database for route, schedule and fare information so that passengers can plan regional trips. (Public Transportation Commission)

File 172-96-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Adopted

[Prop. J Contract, Security Guard Services]

Resolution concurring retroactively, with the Controller's determination that security guard services can practically be performed at the Bureaus of Engineering and Construction Management Offices at 1680 Mission Street by private contractor for a lower cost than if the services were performed by City employees. (Department of Public Works)

File 25-96-4, Resolution No. 361-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Adopted as Amended

[Election, California Civil Rights Initiative]

Resolution establishing policy opposing the California Civil Rights Initiative, joining the Mayor in his efforts to oppose this measure and educate the San Francisco electorate about its negative impact on the City and County and supporting the efforts of "Freedom Summer 1996". (Supervisors Teng, Leal, Alioto, Ammiano, Yaki, Shelley, Kaufman, Kennedy, Bierman, Hsieh)

File 60-96-3, Resolution No. 366-96

Supervisor Teng, seconded by Supervisor Yaki, moved an Amendment of the Whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Monday, April 29, 1996

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

In connection with the above item, Supervisors Shelley, Kaufman, Kennedy, Bierman, Hsieh requested to be added as co-sponsors.

Adopted as Amended

[State Grant - African American History Network]

Resolution authorizing City Librarian, retroactively, to apply for Library Services and Construction Act funds from the California State Library for the African American History Network II. There are direct costs of eight percent (8%) contained in the budget of this grant. (Public Library)

File 147-96-3, Resolution No. 367-96

Supervisor Ammiano, seconded by Supervisor Leal, moved to amend line 17 to delete "accept and expend" before the word "funds".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Adopted

[State Grant - Reduce Air Pollution, Motor Vehicles]

Resolution authorizing the Executive Director of the Department of Parking and Traffic or his designee, to accept and expend \$1,306,200 from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs; and placing \$913,000 on reserve. (Department of Parking and Traffic)

File 192-96-2, Resolution No. 368-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Special Truck Loading Zones and Yellow Zones]

Ordinance amending Traffic Code, regarding the designation of special truck loading zones and yellow zones. (Department of Parking and Traffic)

File 124-96-4, Ordinance No.

(Amends Sections 33.3, 38.B, and 38.B.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Adopted

[Liquor License Transfer, 1416 Haight Street]

Resolution opposing the request for transfer of a Type 21 off-sale general alcohol beverage control license for Fouady Y. Kazzouh for New Lite Market, from 1806 Irving Street to 1416 Haight Street, and determining that it will not serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-11, Resolution No. 369-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

[Liquor License Transfer to 2702 - 24th Street]

Resolution determining that the transfer of Type 21 off-sale general alcohol beverage control License #21-128874 to Nho Thi Nguyen for N & V Grocery Store, located at 2702 - 24th Street, from Walgreens Store located at 1979 Mission Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with condition. (Housing and Land Use Committee)

File 223-96-12, Resolution No. 370-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Leal, Teng, Yaki - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Shelley - 1.

Consideration Continued

[Liquor License Transfer, 3165 Steiner Street]

Resolution determining that the transfer of a Type 21 off-sale general alcohol beverage control license for Basher A. El-Yousef for Hollow Cow Market and Delicatessen, from 2100 Chestnut Street to 3165 Steiner Street, will serve the convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with condition. (Housing and Land Use Committee)

File 223-96-13, Resolution No.

Supervisor Yaki, seconded by Supervisor Leal, moved to continue consideration to May 6, 1996.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Adopted

[Liquor License Transfer, 2298 Mission Street]

Resolution opposing the request for the transfer of a Type 21 off-sale general alcohol beverage control license for Raymond Tsang for City Discount Meat & Grocery Store, from 2780 - 21st Street to 2298 Mission Street, and determining that it will not serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Land Use Committee)

File 223-96-14, Resolution No. 371-96

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Recommendation of Select Committee on Charter Implementation

Rereferred to Committee

[Former Charter Provisions]

Ordinance amending Administrative Code, making necessary changes to conform to the 1996 Charter relating to officers of the City and County; emergency succession to the Mayor; contractual authority limitation; Board of Supervisors, City Administrator; Controller; District Attorney; City Planning; Police; Fire; and providing an effective date of July 1, 1996. (Supervisor Kaufman)

File 97-96-19, Ordinance No.

(Adds Sections 1.49, 2.1-1, 2.6-4, 2.6-5, 2A.10, 2A.14, 2A.18, 2A.19, 2A.20, 2A.70, 2.6-6, 2A.50, 2A.51, 2A.75, 2A.76, 2A.77, 2A.78, 2A.79, 2A.80, 2A.81, 2A.90, 2A.91, 2A.92, 2A.93, 2A.94, 2A.95, 2A.96, and 2A.97, to codify 1932 Charter sections 1.103, 2.101, 2.203, 2.203-3, 3.100, 3.201, 3.301, 3.302, 3.303, 3.402, 3.502, 3.523, 3.529, 3.531, 3.533, 3.534, 3.535, 3.537, 3.538, 3.539, 3.540, 3.541, 3.542, 3.543, 3.544, 3.545, 3.546 and 3.547.)

Supervisor Leal, seconded by Supervisor Yaki, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of reviewing the City's position on whether the City should initiate litigation against Viacom and/or TCI related to telecommunications franchise issues, as permitted by Government Code Section 59456.9(c). (Supervisors Shelley, Ammiano)

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Recess

The Board recessed at the hour of 3:07 p.m. to convene in closed session. The Board reconvened at 3:30 p.m.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

Quorum present.

Report on Closed Session

The Deputy City Attorney stated that the Board took no action in closed session.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 9.

Absent: Supervisor Shelley - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Eula Walters, opposing any construction on Ferry Park;
Zander, supporting Mayor's plan for City Hall;
John Barbey, unauthorized tree cutting;
Leboriae Smoore, police brutality;
Jeffery Auman, harassment of homeless.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Pedestrian Safety Awareness]
Resolution urging the Mayor and all Department Heads to promote increased awareness of pedestrian safety by participating in the San Francisco Pedestrian Task Forces' SEE Pedestrian campaign. (Supervisors Leal, Bierman, Shelley, Kaufman, Yaki, Ammiano)

File 239-96-1, Resolution No. 372-96

(April 22, 1996 - Introduced in Board for consideration on April 29, 1996.)

Supervisor Leal, seconded by Supervisor Yaki, moved to amend line 11 by inserting the words "Senior Action Network, Department of Parking and Traffic" following the words "Mayor's Office,"

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

In connection with the above item, Supervisors Kaufman, Yaki, Ammiano requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Charity Cultural Services Center]

Resolution commending the Charity Cultural Services Center for thirteen years of assisting low-income immigrant families and for helping these families to become self-sufficient through education and job training. (Supervisors Shelley, Kaufman, Leal, Teng, Yaki, Ammiano, Bierman, Hsieh)

File 6-96-51, Resolution No. 353-96

(April 22, 1996 - Introduced in Board for consideration on April 29, 1996.)

Adopted.

In connection with the above item, Supervisors Kaufman, Leal, Teng, Yaki, Ammiano, Bierman, Hsieh requested to be added as co-sponsors.

[Commend Pacific Asian American Women]

Resolution commending the Pacific Asian American Women Bay Area Coalition and the 1996 Recipients of the Woman Warrior Awards. (Supervisors Teng, Kaufman, Shelley, Leal, Yaki, Ammiano, Bierman, Hsieh)

File 6-96-56, Resolution No. 354-96

(April 22, 1996 - Introduced in Board for consideration on April 29, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Yaki, Ammiano, Bierman, Hsieh requested to be added as co-sponsors.

[Commend Walden House, Sheriff's Department]

Resolution commending Walden House and the San Francisco Sheriff's Department for the Sisters in Sober Treatment, Empowered for Recovery (SISTER) project. (Supervisors Alioto, Kaufman, Leal, Teng, Ammiano, Bierman)

File 6-96-57, Resolution No. 355-96

(April 22, 1996 - Introduced in Board for consideration on April 29, 1996.)

Adopted.

In connection with the above item, Supervisors Leal, Teng, Ammiano, Bierman requested to be added as co-sponsors.

[Gift, Police Horse Trailer]

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of a horse trailer from Wells Fargo Bank. (Supervisors Alioto, Teng)

File 38-96-10, Resolution No. 365-96

(April 22, 1996 - Introduced in Board for consideration on April 29, 1996.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-96-18, Resolution No. 352-96

(Willie L. Brown, Jr., Mayor, Office of the Mayor, April 28 - 29; Shirley Bierly, Commissioner, Residential Rent Board, April 24 - 27; Dennis P. Bouey, Executive Director, Port of San Francisco, March 21 - 24; Mary E. Burns, General Manager, Recreation and Park Department, March 22 - 26; Edward A. Chow, Commissioner, Health Commission, April 12 - 28; Joyce Mobley Corrigan, Member, Film and Video Arts Commission, March 15 - 19; Robert H. Feldman, Executive Director, Board of Permit Appeals, January 25 - 28; Sandra R. Hernandez, M.D., Director, Department of Public Health, January 28 - 29; Bobbie Sue Hood, President, Building Inspection Commission, March 11 - 12; Caryl Ito, Commissioner, Commission on the Status of Women, February 8 - 18; Fred H. Lau, Chief, Police Department, March 18 - 24; Jerry Levine, Member, City Planning Commission, March 8 - 17; Calvin Louie, Commissioner, Human Rights Commission, January 13 - 18; Jane Morrison, President Elect, Social Services Commission, March 14 - 26; A. Lee Munson, Commissioner, Civil Service Commission, March 5 - 8; Harry S. Parker, III, Director, Fine Arts Museums, April 17 - 28; Manuel A. Rosales, Commissioner, Redevelopment Agency, March 9 - 20 and April 20 - 23; Emily Sano, Director, Asian Art Museum, March 9 - 27; Mauri Schwartz, Vice President, Board of Permit Appeals, February 9 - 11, March 15 - 17, May 22 - 27 and July 21 - 31; Fran A. Streets, Commissioner, Public Library Commission, January 17 - 19; Andrew Sun, Commissioner, Public Transportation Commission, April 26 - 28; Ian Wilson, Chair, Asian Art Museum Commission and Foundation, April 16 - May 1 and May 8 - 11, 1996.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

[Imperative Resolutions]

Adopted

[Commending Justice Ming W. Chin]

Resolution commending Justice Ming W. Chin on his appointment as Associate Justice of the Supreme Court of California and declaring April 30, 1996 "Justice Ming W. Chin Day" in San Francisco.

File 006-96-060, Resolution No. 356-96

Supervisors Hsieh, Kaufman, Yaki, Shelley, Teng, Bierman, Leal, Ammiano, Kennedy, Alioto presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

[Mission High School Health Center]

Resolution commending Mission High School and San Francisco State University's College of Nursing on the occasion of the opening celebration of the expanded Mission High School Health Center for their collaborative efforts in establishing a model school-based health center.

File 6-96-61, Resolution No. 357-96

Supervisors Leal, Ammiano, Yaki, Bierman, Teng, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

[Commending Hoy Ping Benevolent Association]

Resolution commending Hoy Ping Benevolent Association and declaring May 4, 1996 "Hoy Ping Benevolent Association Day" in San Francisco.

File 006-96-062, Resolution No. 358-96

Supervisors Teng, Yaki, Bierman, Hsieh, Kaufman, Shelley presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Hsieh, Kaufman, Kennedy, Leal, Teng, Yaki - 8.

Absent: Supervisors Alioto, Shelley - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Possessory Interest Taxes]

Ordinance amending Administrative Code, by adding Section 6.63-1 to provide that all agreements for private use of city property include an acknowledgment of the private party's potential liability for possessory interest taxes unless the Board of Supervisors specifically authorizes and approves the city's assumption of any such liability, and by adding Section 6.63-2 relating to reports to the Assessor; and amending Chapter 23 to refer to these new sections. Supervisor Ammiano presented. Referred to Budget Committee.

File 097-96-011.01.

[Summer Youth Employment Credit]

Draft Ordinance amending Part III, Articles 12-A and 12-B by adding Sections to provide for credits against the payroll expense tax and the business tax for businesses hiring youths between the ages of 14 and 21 for the summer; and providing that the provisions of these credits expire on December 31, 2001. Supervisors Yaki, Leal, Ammiano, Bierman, Teng, Alioto, Kaufman presented. Referred to Budget Committee.

File 127-96-005.

Referred to Board

[Commending Joanne Hayes-White, Lorrie Kalos]

Resolution commending Joanne Hayes-White and Lorrie Kalos, the first two women captains of the San Francisco Fire Department and the San Francisco Fire Department. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 006-96-059.

[Angel Island State Park]

Resolution supporting the use of East Garrison Docking Facility, Angel Island State Park, by Golden Gate Ferries. Supervisor Kennedy Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 012-96-024.

[Expansion of Point Reyes National Seashore]

Resolution supporting legislation endorsed by President Clinton to preserve and expand Point Reyes National Seashore and urging the United States House of Representatives and United States Senate to support such legislation. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 013-96-016.

[Supporting Brooke Amendment]

Resolution supporting the continuation of the principals of the Brooke Amendment and opposing any congressional attempts at its repeal. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 013-96-017.

[Passport Applications]

Resolution authorizing the County Clerk-Recorder to accept passport applications pursuant to a designation of authority from the United States Department of State. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 013-96-018.

[Golden Gate National Recreation Area]

Resolution urging the Golden Gate National Recreation Area to rent/lease the Presidio Chapel or a comparable building to be used for approximately two years by the Jones Memorial United Methodist Church for the purpose of holding Sunday services and related meetings. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 013-96-019.

[City Hall Security Devices]

Resolution urging the Chief Administrative Officer to request supplemental appropriation of sufficient funds to reinstate City Hall security devices. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 186-96-002.

[Retirement Board Divestment-Tobacco Companies]

Resolution urging the San Francisco Retirement Board to divest holdings in securities of publicly traded companies that derive revenue from the sale of tobacco products and further urging the California State Legislature to pass legislation barring state and municipal pension funds from holding tobacco stocks. Supervisors Alioto, Ammiano, Yaki, Bierman, Kennedy, Leal, Hsieh, Kaufman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 210-96-001.

Charter Amendments:

Referred to Committee

[Charter Amendment, Retiree COLA Proposal]

Charter Amendment (Skeletal) to create a "Reserve for Additional Cost of Living Adjustment" account financed from excess earnings over estimated revenue for the fiscal year to allow up to three per cent (3%) COLA for Miscellaneous, Police and Fire retirees and provide three dollars (\$3.00) per month for persons who retired on or before December 30, 1979, payable only if there are sufficient funds in the "Reserve for Additional Cost of Living Adjustment" account. Supervisor Bierman presented. Referred to Rules Committee.

File 246-96-001.

Requests for Hearings:

[Laguna Honda Hospital Hiring Freeze]

Hearing to consider the hiring freeze at Laguna Honda Hospital for fiscal years 1994-95 and 1995-96 and the foreseeable future as stated by the Director of Health. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 030-96-010.

[Chronicle/Examiner Merger]

Hearing to consider the impact of the proposed merger of the San Francisco Chronicle and the San Francisco Examiner. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 112-96-003.

[Hayes Valley Relocation]

Hearing to consider the Hayes Valley Relocation as it relates to where residents are going; how the relocation is being done; and who is in charge of the relocation of Hayes Valley residents; including review of the Relocation Plan for Hayes Valley. Supervisors Kennedy, Bierman presented. Referred to Economic Vitality/Social Policy Committee with request it be considered on May 14, 1996.

File 206-96-001.

[Status of Bernal Development]

Hearing to consider the status of Bernal Development; the involvement of the Bernal Housing Tenant Association/residents in the overall relocation of residents; the architectural reconfiguration, and the integration of services. Supervisors Kennedy, Bierman presented. Referred to Economic Vitality/Social Policy Committee.

File 206-96-002.

[Alternative Employee Work Schedules]

Hearing to consider efforts to promote the adoption of alternative employee work schedules by City and County Departments and Agencies to improve efficiency and promote improved employee morale. Supervisor Ammiano presented. Referred to Government Efficiency/Labor Committee.

File 222-96-002.

[Treasure Island]

Hearing to consider a plan for an amateur sports participation program which has been proposed as an interim use for Treasure Island. Supervisor Shelley presented. Referred to Select Committee on Base Closures with request it be considered on May 21, 1996.

File 244-96-002.

Motions:

Referred to Board

[Local Emergency, Needle Exchange Program]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Teng, Hsieh, Ammiano, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 6, 1996.

File 030-96-001.08.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-96-025. [Eubank v. CCSF, et al.] Ordinance authorizing settlement of litigation of Jerry Eubank and Charles Eubank against the City County of San Francisco by payment of \$55,000. (Superior Court No. 958-994. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-96-026. [U.S.A. (Davis) v. CCSF] Ordinance authorizing partial settlement of litigation of U.S.A. (Davis) v. City and County of San Francisco, by payment of \$195,875.00. (USDC, Northern District of California, Consolidated Cases Nos. C84-1100 MHP, C84-7089 MHP). (Also see File 45-95-2). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-95-033.01. [Amendment to MOU, Local 856] Ordinance amending Ordinance No. 219-95 to implement the provisions of an arbitration award between the Teamsters Local 856 and the City and County of San Francisco for the period July 1, 1996 through June 30, 1998. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 097-96-024. [Membership List, Department of Public Health] Ordinance amending Administrative Code by amending Section 16.6-10 thereof, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health) Referred to Budget Committee.

File 097-96-025. [General Assistance Grant, FY 1996-97] Ordinance amending Administrative Code by amending Section 20.57 (General Assistance Ordinance) relating to the cost of living adjustment of aid grants. (Mayor) Referred to Budget Committee.

File 097-96-026. [Settlement of Airport Claims/Legal Proceedings] Ordinance amending Administrative Code, by adding Sections 10.25-10 and 10.25-11, authorizing the Airports Commission upon the recommendation of the City Attorney to settle or dismiss any legal proceeding involving property or matter under its jurisdiction and which does not exceed \$100,000 and also authorizing the City Attorney, with the consent of the Airports Commission, to settle or dismiss Airport claims or demands not exceeding \$100,000. (Airports Commission) Referred to Budget Committee.

File 097-96-027. [Assessment Appeals Boards] Ordinance amending Administrative Code by adding Section 2B.20 imposing notice, agenda, public comment, and meeting obligations on the Assessment Appeals Boards. (Sunshine Task Force). Referred to Rules Committee.

File 101-95-076. [Appropriation, Fire Department] Ordinance appropriating \$2,265,000, Fire Department, from the General Fund Reserve for salaries, fringe benefits, services of other departments (Workers Compensation) and facilities maintenance for fiscal year 1995-96. RO #95195. (Controller) Referred to Budget Committee.

File 101-95-077. [Appropriation, Fire Department] Ordinance appropriating \$45,000, Fire Department, of Fire Plan Checking Revenue for the purchase of computer equipment for fiscal year 1995-96. RO #95178. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 023-96-002. [Waiving Statute of Limitations] Resolution waiving the statute of limitations with respect to payment of certain warrants of the City and County of San Francisco, in the amount of \$14,207.13, a legal obligation of the City and County of San Francisco. (Payee: George S. Smandra) (Controller) Referred to Government Efficiency/Labor Committee.

File 064-96-003. [Lease of Property at 1650 Mission Street] Resolution authorizing a lease of real property at 1650 Mission Street for the Department of Social Services. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 068-96-003. [Grant, Summer Food Service Program] Resolution authorizing the Mayor to apply for, accept and expend \$777,564 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children. (Mayor's Office of Children, Youth & Their Families) Referred to Government Efficiency/Labor Committee.

File 112-96-001. [Official Newspapers for FY 1996-97] Resolution designating the San Francisco Examiner to be official newspaper of the City and County of San Francisco for specified categories of advertising, and designating the San Francisco Independent to be the official newspaper for other specified categories of official advertising, commencing July 1, 1996. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

File 112-96-002. [Outreach Newspapers, FY 1996-97] Resolution designating the Small Business Exchange to be outreach newspaper of the City and County of San Francisco for the African-American community; designating the Chinese Times to be outreach newspaper for the City and County of San Francisco for the Chinese community; and designating the El Latino to be outreach newspaper of the City and County of San Francisco for the Hispanic community, commencing July 1, 1996, for outreach advertising. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

File 152-96-001. [FY 96/97 Standards & Training, Local Corrections] Resolution authorizing the Sheriff's Department, Adult Probation Department, and Juvenile Probation Department of the City and County of San Francisco to apply for, retroactively, accept and expend \$317,285 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving any indirect costs. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 172-96-012. [Contract Modification, Breda Costruzioni] Resolution authorizing the Municipal Railway to modify an existing contract with Breda Costruzioni Ferroviarie S.p.A. (Also see Files 172-92-22 and 172-92-22.1). (Public Transportation Commission) Referred to Government Efficiency/Labor Committee.

File 172-96-013. [Mutual Aid Agreement, Water Agencies] Resolution authorizing the General Manager of the Public Utilities Commission to execute an updated Mutual Aid Agreement with other water agencies in the State Office of Emergency Services Region 2. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 172-96-014. [Contract, DPH - Seattle-King County] Resolution authorizing the execution and approval of a contract, including a hold harmless provision, between the City and County of San Francisco Department of Public Health and the Seattle-King County Department of Public Health for the use of dispatch guidelines and instruction. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to the Real Estate Department asking that a list of properties receiving power from PG&E and Hetch Hetchy power be identified and provided to the Board of Supervisors. Further requesting that a list of properties identified as being available to the Redevelopment Agency and as such available for Hetch Hetchy power also be identified and provided to the Board of Supervisors.

By Supervisor Kennedy, that letter be sent to the Executive Director of the Human Rights Commission inquiring into the M/WBE participation in the Distribution Program-Medical/Surgical Supplies Contract #60400; Baxter Healthcare is the prime vendor.

By Supervisor Teng, that letters be sent to all city departments requesting the following be submitted to Supervisor Teng's office by June 11, 1966:

- 1) A summary of the ethnic and gender breakdown for each department's current work force, including management positions;
- 2) A copy of each department's affirmative action plan;
- 3) An analysis of the anticipated impact passage of the California Civil Rights Initiative would have on the department with respect to:
 - a) continued enforcement of the department's affirmative action plan;
 - b) the ethnic and gender breakdown of the department's work force, including management;
 - c) hiring, promotion, and retention of women and minorities in the department;
 - d) contracting and sub-contracting with women and minority-owned companies;
 - e) programs for outreach, mentoring, and recruitment involving women and minorities; and
 - f) training programs for women and minorities.

In Memoriams

Francis H. Louie (By the entire Board)
Laura Holland (By Supervisor Shelley)
Antonio Maduro (By Supervisors Bierman, Leal)
Barbara Crawford (By Supervisor Kennedy)
Adama Saunders (By Supervisor Kennedy)
Helen Irvin (By Supervisor Kennedy)
Leroy Harris (By Supervisor Kennedy)
Melinda Cordue (By Supervisor Kennedy)
Emmitt Caulver (By Supervisor Kennedy)

File 2-96-18

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:15 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 20, 1996

Monday, April 29, 1996

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

